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SITTING DAYS—2003

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>4, 5, 6, 10, 11, 12, 13</td>
</tr>
<tr>
<td>March</td>
<td>3, 4, 5, 6, 18, 19, 20, 24, 25, 26, 27</td>
</tr>
<tr>
<td>May</td>
<td>13, 14, 15, 26, 27, 28, 29</td>
</tr>
<tr>
<td>June</td>
<td>2, 3, 4, 5, 16, 17, 18, 19, 23, 24, 25, 26</td>
</tr>
<tr>
<td>August</td>
<td>11, 12, 13, 14, 18, 19, 20, 21</td>
</tr>
<tr>
<td>September</td>
<td>8, 9, 10, 11, 15, 16, 17, 18</td>
</tr>
<tr>
<td>October</td>
<td>7, 8, 9, 13, 14, 15, 16, 23, 24</td>
</tr>
<tr>
<td>November</td>
<td>3, 4, 5, 6, 24, 25, 26, 27</td>
</tr>
<tr>
<td>December</td>
<td>1, 2, 3, 4</td>
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</tbody>
</table>

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- MELBOURNE 1026 AM
- ADELAIDE 972 AM
- PERTH 585 AM
- HOBART 729 AM
- DARWIN 102.5 FM
CONTENTS

MONDAY, 3 NOVEMBER

Delegation Reports—
Australian Parliamentary Delegation to East Timor, 3 to 5 September 2003 .......... 21705
Commonwealth Land at Point Nepean, Victoria Bill 2003—
First Reading ................................................................................................................ 21707
Private Members’ Business—
Defence: Royal Australian Air Force Contingent Ubon ............................................... 21709
Hepatitis C .................................................................................................................... 21716
Statements by Members—
Health: Funding ............................................................................................................ 21722
Cook Electorate: Green Corps Initiative ................................................................. 21722
Port Adelaide Electorate: Port Adelaide Power Best and Fairest Presentation Night... 21723
Higher Education: Funding ....................................................................................... 21723
Australian Greens: Policies .......................................................................................... 21723
Dobell Electorate: Kids Day Out .................................................................................. 21724
McManus, Councillor John .......................................................................................... 21724
Health: Mental Illness .................................................................................................. 21724
McMillan Electorate: Rocklea Spinning Mills ............................................................. 21725
Health and Ageing: Policy.......................................................................................... 21725
Australian Film Industry Awards.................................................................................. 21725
Family and Community Services: Child Care .......................................................... 21726
Ministerial Arrangements ............................................................................................ 21726
Questions Without Notice—
Australian War Memorial: Wreath-Laying Service ...................................................... 21726
National Security: Terrorism ........................................................................................ 21727
National Security: Terrorism ....................................................................................... 21729
Foreign Affairs: Solomon Islands ................................................................................ 21729
Distinguished Visitors .................................................................................................. 21730
Questions Without Notice—
National Security: Terrorism ....................................................................................... 21730
Business: Corporate Governance ................................................................................ 21731
National Security: Terrorism ....................................................................................... 21732
Business: Corporate Governance ................................................................................ 21733
Medicare: Bulk-Billing ............................................................................................... 21733
National Security: Terrorism ....................................................................................... 21734
National Security: Terrorism ....................................................................................... 21735
Taxation: Compliance .................................................................................................. 21735
Thailand: Free Trade Agreement .................................................................................. 21737
Taxation: Compliance .................................................................................................. 21737
Workplace Relations: Building Industry .................................................................... 21740
Taxation: Compliance .................................................................................................. 21740
Education: HECS Contributions .................................................................................. 21742
Family Services: Family Payments .............................................................................. 21743
Education: Bullying ..................................................................................................... 21744
Questions Without Notice: Additional Answers—
Taxation: Compliance .................................................................................................. 21745
CONTENTS—continued

Addresses by the President of the United States of America and the President of the People’s Republic of China .......................................................... 21745
Questions to the Speaker—
Addresses by the President of the United States of America and President of the People’s Republic of China ................................................................. 21748
Addresses by the President of the United States of America and the President of the People’s Republic of China ............................................................. 21749
Addresses by the President of the United States of America and the President of the People’s Republic of China ............................................................. 21749
Addresses by the President of the United States of America and the President of the People’s Republic of China ............................................................. 21749
Addresses by the President of the United States of America and the President of the People’s Republic of China ............................................................. 21749
Addresses by the President of the United States of America and the President of the People’s Republic of China ............................................................. 21749
Addresses by the President of the United States of America and the President of the People’s Republic of China ............................................................. 21749
Questions on Notice ..................................................................................................... 21751
Petitions—
Medicare: Bulk-Billing .................................................................................................... 21751
Medicare: Bulk-Billing .................................................................................................... 21751
Medicare: Bulk-Billing .................................................................................................... 21752
Health and Ageing: Aged Care ....................................................................................... 21752
Australian Broadcasting Corporation: Funding............................................................. 21752
Environment: Plastic Bag Levy ...................................................................................... 21752
Medicare: Bulk-Billing .................................................................................................... 21753
Goods and Services Tax: Funerals ................................................................................. 21753
Roads: F3 to Sydney Orbital Link .................................................................................. 21753
Textile, Clothing and Footwear Industry: Tariffs .......................................................... 21753
Centrelink: Offices ........................................................................................................ 21753
Health and Ageing: Funding .......................................................................................... 21754
Private Members’ Business—
Transport and Urban Development ............................................................................ 21754
West Papuan Refugees ................................................................................................... 21762
Grievance Debate—
Drought: Assistance ..................................................................................................... 21769
National Sustainability Initiative .................................................................................... 21771
Social Capital ................................................................................................................ 21773
Indigenous Affairs: Larrakia Nation ............................................................................. 21776
Transport: Maritime Safety and Security ..................................................................... 21778
Aviation: Air Safety ....................................................................................................... 21778
Local Government ......................................................................................................... 21781
Addresses by the President of the United States of America and the President of the People’s Republic of China ............................................................. 21783
Indigenous Affairs ....................................................................................................... 21786
Family Assistance Legislation Amendment (Extension of Time Limits) Bill 2003—
Consideration of Senate Message ................................................................................ 21788
CONTENTS—continued

Parliamentary Zone—

Approval of Proposal .......................................................... 21791
Assent .......................................................................................... 21792
Superannuation (Surcharge Rate Reduction) Amendment Bill 2003—
Consideration of Senate Message ............................................ 21792
Superannuation (Government Co-contribution for Low Income Earners) Bill 2003—
Consideration of Senate Message ............................................ 21792
Superannuation (Government Co-contribution for Low Income Earners)
(Consequential Amendments) Bill 2003—
Consideration of Senate Message ............................................ 21793
Bills Returned from the Senate .................................................. 21793
Age Discrimination Bill 2003 .................................................. 21793
Age Discrimination (Consequential Provisions) Bill 2003—
Second Reading ........................................................................ 21793
Business—
Rearrangement ........................................................................ 21797
Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003 ..... 21798
Ozone Protection (Licence Fees—Imports) Amendment Bill 2003 .......................... 21798
Ozone Protection (Licence Fees—Manufacture) Amendment Bill 2003—
Second Reading ........................................................................ 21798
Adjournment—
Child Abuse .............................................................................. 21826
Dunkley Electorate ..................................................................... 21827
Telstra .......................................................................................... 21828
Flinders Electorate: Point Nepean ............................................. 21829
Cunningham, Mr Ted ................................................................. 21831
Cunningham, Mr Ted ................................................................. 21831
Cunningham, Mr Ted ................................................................. 21832
Notices ....................................................................................... 21833
Questions on Notice—
Superannuation: Contributions — (Question No. 636) ................. 21834
Superannuation: Contributions — (Question No. 937) ................. 21835
Workplace Relations: Collective Bargaining — (Question No. 1820) ..... 21837
Taxation: New South Wales Bar Association — (Question No. 1897) .... 21837
Transport and Regional Services: Project Funding — (Question No. 2100) .... 21838
Australian National Council on Drugs: Major Watters—(Question No. 2133) .... 21840
Defence: Funding — (Question No. 2139) .................................. 21841
Attorney-General: Federal Courts and Tribunals — (Question No. 2146) .... 21842
Barton Electorate: Programs and Grants — (Question No. 2158) .... 21846
Australian Government Actuary: Judges’ Pensions—(Question No. 2172) .... 21847
Motor Vehicles: Specialist and Enthusiast Vehicle Scheme—(Question No. 2173) ... 21848
Motor Vehicles: Importation and Conversion—(Question No. 2175) .... 21848
Health: HIV-AIDS—(Question No. 2182) .................................. 21849
Health: Hepatitis C—(Question No. 2183) .................................. 21850
Shipping: Flags of Convenience—(Question No. 2195) .................. 21850
Australian Industrial Relations Commission: Legal Intervention Costs—
(Question No. 2199) ................................................................. 21851
Crime: Money Laundering—(Question No. 2211) ......................... 21851
Australian Transaction Reports and Analysis Centre: Identity Fraud—
(Question No. 2214) ................................................................. 21852
CONTENTS—continued

Transport and Regional Services: Port Security Plans—(Question No. 2218)............. 21852
Employment: Intensive Assistance—(Question No. 2235)........................................... 21853
Employment: Intensive Assistance—(Question No. 2237)........................................... 21854
Employment: Indigenous Employment Policy—(Question No. 2239)........................... 21855
Employment: Job Network—(Question No. 2242)....................................................... 21855
Immigration: Former Child Migrants—(Question No. 2262)....................................... 21856
Tourism: Tweed Heads to Sydney Promotional Bus Tour—(Question No. 2269)............. 21857
Family Law—(Question No. 2273).................................................................................. 21857
Australian Security Intelligence Organisation: Staffing—(Question No. 2289)............. 21858
United Nations: Human Rights Treaty Body Reform—(Question No. 2290).............. 21859
Attorney-General: Legal Services—(Question No. 2293)........................................... 21861
Education, Science and Training: Program Funding—(Question No. 2319)................ 21861
Nuclear Waste: Storage—(Question No. 2341).......................................................... 21867
Trade: Export Market Development Grants—(Question No. 2342)............................ 21868
Attorney-General’s: Staff—(Question No. 2343).......................................................... 21869
Business-Government Task Force on Critical Infrastructure: Representation—
(Question No. 2345)................................................................................................. 21881
Disability Discrimination Act Standards Working Group—(Question No. 2346)......... 21885
Standing Committee of Attorneys-General: Human Rights—(Question No. 2347)...... 21885
Reference Group on Identity Fraud—(Question No. 2350).......................................... 21886
Crime: Money Laundering—(Question No. 2352)....................................................... 21888
Crime: Revenue—(Question No. 2353)........................................................................ 21890
Motor Vehicles: DasFleet Passenger Charter—(Question No. 2369)............................. 21891
Employment: Assistance Programs—(Question No. 2378).......................................... 21891
Employment: Assistance Programs—(Question No. 2379).......................................... 21892
Employment: Job Network—(Question No. 2381)....................................................... 21892
United Nations: Human Rights Committee—(Question No. 2383)............................. 21893
Hamas Support Group—(Question No. 2390).............................................................. 21894
Employment: Job Network—(Question No. 2395)....................................................... 21894
Defence: Interactive Multimedia Resource Kit—(Question No. 2402)......................... 21894
Australian Security Intelligence Organisation: Database—(Question Nos. 2407 and 2408).................................................................................................................. 21895
Hague Conventions—(Question No. 2411)................................................................. 21896
United Nations Commission on Human Rights: Chair—(Question No. 2412 and 2413).................................................................................................................. 21897
Employment: Job Network—(Question No. 2422)....................................................... 21898
Employment: Job Seekers—(Question No. 2423)......................................................... 21898
National Security: Maritime Industry—(Question No. 2431)...................................... 21899
Nuclear Energy: Lucas Heights Reactor—(Question No. 2433)................................... 21900
National Security: Terrorism—(Question No. 2435).................................................... 21900
Community Legal Centres: Funding—(Question No. 2436)........................................ 21901
European Union: Private Sector Provisions—(Question No. 2441).............................. 21905
Transport: Vehicle Fuel Consumption—(Question No. 2512)...................................... 21906
Transport and Regional Services: Port Security Plans—(Question No. 2519)............. 21906
Defence: Property—(Question No. 2557)..................................................................... 21907
United Nations: Multilateral Treaties—(Question No. 2560)......................................... 21907
The SPEAKER (Mr Neil Andrew) took the chair at 12.30 p.m., and read prayers.

DELEGATION REPORTS

Australian Parliamentary Delegation to East Timor, 3 to 5 September 2003

Mr ADAMS (Lyons) (12.31 p.m.)—I present the report of the Australian Parliamentary Delegation to East Timor, 3 to 5 September 2003. It was a great privilege to be the deputy leader and to be part of the first official parliamentary delegation to East Timor since independence. We were honoured by the extraordinary sitting of East Timor’s national parliament. Although parliament was technically in recess, over 50 parliamentarians came and shared the day with us and showed us over the new house of parliament, which was built as a gift from Australia to the world’s newest democracy.

The dialogues that were held concentrated on the political and economic future of the country. The president, Xanana Gusmao, was most gracious and hospitable in inviting the delegation to his office, which is in a burnt-out building and has been only marginally tidied up. Living and working in the same conditions as his people showed he has an affinity with the past as well as is looking with them to future. He is obviously very much loved by his people.

The country is still in a very raw state; things are taking time to rebuild and redevelop, including the infrastructure and the culture. There is a need to build East Timor’s institutions and self-reliance to bring the country’s skills up to a level where it can be autonomous. There was some concern shown for the impending withdrawal of the UN Mission of Support because of the state of transition, but it is hoped that East Timor will be able to have more extended assistance to allow the easing out of UNIMET and the support for the local institutions to take over.

So much is still to be done. There is still a culture of dependence—the entrepreneurial spirit is missing. Agriculture, which is so vital to East Timor’s economy, is still really at a subsistence level. Maize, cassava, rice and sweet potatoes dominate, although some coffee is again being developed as a cash crop. There are still concerns about food security, and farmers would benefit from some exchange programs and exposure to new methods of farming—for example, we saw the amount of rice that is lost during processing. Several rice and seed trials are under way with Australian input, which we hope will increase productivity. Although the country has taken huge steps since 1999, we were concerned about the level of support that will be provided after the withdrawal of the UN. It is clear that ongoing assistance will be needed from Australia to help East Timor continue its leap into the 21st century.

Our visit also included an inspection of the Australian Defence Force contingent, which had us visiting the base in Dili as well as the forward operating bases at Moleana, Maliana and Junction Point Alpha. I must say that I was very impressed with the friendliness yet complete professionalism of our young men and women over there. The forward bases are fairly basic, yet there is an enormous amount of enthusiasm shown for the job that is being done. The success of the Australian contingent in East Timor is a testament to the professionalism and the training of these troops. With the UN leaving in 2004, the delegation felt that there was room for an expanded effort in the areas of public information—such as information gathering—capacity building and community liaison.

There were also a number of visits to community projects, which had us pitching
over some very basic road infrastructure—luckily there was not a lot of traffic around, otherwise it would have been much worse. We were greeted very cordially by villagers. We saw young ones being schooled in the dances of their country and they accompanied themselves on local percussion instruments. It was noted that there is a need to assist East Timor in recapturing their culture, particularly given East Timor’s history of colonisation and occupation. It is a young nation: approximately 50 per cent of the population are under 25 years of age. Recapturing culture will be crucial to building the nation’s consciousness and effective community development.

I would like to thank the embassy staff in Dili, particularly those who organised the visits outside the normal program, which included visits to the orphanage, the memorial swimming pool at Dara and the Street Children’s Art school. Thanks also to our hosts, the East Timorese, who were very patient and understanding in answering all our questions. I would also like to thank Adam Cunningham and my two colleagues Bill and Peter. (Time expired)

Mr LINDSAY (Herbert) (12.36 p.m.)—I thank my colleagues Bill Heffernan and Dick Adams, and I pay tribute to committee secretary Adam Cunningham, who did an excellent job, and to Australian Ambassador Paul Foley and his staff, who organised the delegation and this program so very capably. Mr Speaker, you will be heartened to know that Australia is highly regarded in East Timor, which is actually called Timor Leste. We are certainly not forgotten for the wonderful work that we did in East Timor’s hour of need. I was there in 1999, just a month or so after Australia went to the aid of the East Timorese. I saw the terrible devastation right across the country and I saw how the people had been so badly affected. But it was a joy to go back in 2003 not so long ago and see how life has returned and to see the happiness of the people of East Timor—how they have progressed and how they are rebuilding their country. It is terrific.

But East Timor is still a fragile country. It is still in danger of not being able to organise its economy properly. Just last year 40 per cent of the entire rice crop—the entire rice production of the country—was lost. It was lost because there is no marketing and distribution system in the country to get that rice off to market to get it to consumers. Also a significant problem is that there is no middle management ability in the country. You have people who are very good thinkers, like Prime Minister Alkatiri and President Xanana Gusmao, but you do not have the people in between to do the organisation and to make sure the place runs properly. For example, we went to the emergency department at Dili Hospital and one of the doctors said to me, ‘We don’t have any thermometers in the emergency department.’ I immediately thought, ‘I’ll get a Rotary club in Australia to send over a box of thermometers.’ They said: ‘No, that is not the problem. We have got the money; it is just that someone has forgotten to order them.’ That is the kind of fundamental management issue that is seen right across the economy in East Timor.

Australia can help in relation to the commercial opportunities that are there—for example, the supply and distribution of fuel. Australia’s very good overseas aid program is helping the farmers to understand how to better produce their products and to get them to market. It can help them with management issues.

Mr Speaker, you might be interested to know that members of parliament in East Timor do not have an office. Their office is actually in the parliament itself. They have at their desks all their resources to carry out their parliamentary duties—that is, all the
papers, correspondence and whatever. Members of parliament come into the parliament and do their work at their desks. They still do not have any telecommunications infrastructure, there is no IT and there are no computers; there are none of the facilities that we have as members of parliament to help us in the discharge of our duties. If you are lucky to have an email address as a member of parliament in East Timor, it might be at Yahoo or Hotmail. It is not a government email address. But to their very great credit they run a credible parliament. Their Speaker runs the parliament as our parliament is run, due respect is shown to the parliamentary process and they are doing very well indeed.

I would also like to echo the member for Lyons’ comments about the members of the Australian Defence Force we met at the Australian national command centre and also out in the field at Moleana, Maliana and Junction Point Alpha. Principally the members of the Defence Force were from the 1st Battalion of the Royal Australian Regiment based in Townsville. We met Lieutenant Colonel Stuart Smith, a very capable leader who, one day perhaps—and I hope this does not affect his career—might be Chief of the Defence Force. He has that capability. He is highly regarded not only by the people who work for him but also by the Australian Defence Force itself. Those people are extraordinarily professional. They do Australia proud in what they do in their overseas deployments. They do it to help the people of East Timor, and they have done a mighty job. Congratulations to the members of the Australian Defence Force who so capably have represented Australia. (Time expired)

The SPEAKER—Unless anyone else is seeking the call, the time allotted for statements has expired. Does the member for Lyons wish to move a motion in connection with the report to enable it to be debated at a later stage?

Mr ADAMS (Lyons) (12.41 p.m.)—I move:

That the House take note of the report.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.

COMMONWEALTH LAND AT POINT NEPEAN, VICTORIA BILL 2003

First Reading

Bill presented by Mr Kelvin Thomson.

Mr KELVIN THOMSON (Wills) (12.42 p.m.)—I present the Commonwealth Land at Point Nepean, Victoria Bill 2003. I am today introducing a private member’s bill which would transfer all of the Department of Defence land at Point Nepean in Victoria to the Victorian government, without charge, on the proviso that the Victorian government maintains this land in perpetuity as a national park and is responsible for its ongoing maintenance. The Victorian government in turn has made abundantly clear its willingness to do these things.

One of federal Labor’s environmental policies and commitments is to hand over the land at Point Nepean as a national park. This should not be a controversial issue. I am amazed that the federal government has not done this. I expected all along that the federal government would bow to public opinion on this issue, but I reckoned without their arrogance and cockiness. Their view is that they are so far in front that they do not need to worry about public opinion. Public opinion in Victoria, which the Liberal Party is wilfully refusing to listen to, could not be plainer. Over 9,000 Victorians signed a petition calling for all of Point Nepean to become a national park, and 400 Victorian community groups have signed a community consensus statement saying that the entire site should be national park under one management and rejecting the federal govern-
ment’s plan for a 50-year lease to private developers.

The community’s opposition to the federal government’s plan could not be plainer. But instead of listening to that opposition, the Liberal Party and the member for Flinders have sought to pretend that the government is protecting Point Nepean when it is manifestly handing over key sections of it for commercial development. For example, the Liberal member for Flinders put out a taxpayer funded brochure to all Flinders residents, under the heading ‘Point Nepean not for sale’, which said:

The last 85 hectares of Pt Nepean will not be sold but will be given to Parks Australia which runs Kakadu and Uluru National Parks ...

That was, and is, utterly wrong. Parks Australia will have no role in the management of the 85 hectares. The landlord will be the Department of Defence, and the tenant will be a consortium which includes the Queensland property developer FKP Ltd. But the member for Flinders has been so anxious to look on the bright side of this terrible performance by the Howard government and so anxious to put the Liberal government’s case to the Mornington Peninsula people rather than put the Mornington Peninsula’s case to the government that he rushed into print, at great taxpayer expense, with this nonsense. The member for Flinders throughout this issue has fundamentally misunderstood his role. It is to represent the Mornington Peninsula in Canberra; it is not to represent the Liberal Party on the Mornington Peninsula. He misled the House with this untrue claim and misled every household in his electorate.

The Victorian Labor government has been endeavouring all along to see this land preserved forever as national park. Last week it wrote to the member for McEwen, who as Parliamentary Secretary to the Minister for Defence has been responsible for the Point Nepean fiasco, indicating that the developers will have to get a planning permit if they want to engage in building or demolition works. This is a good thing. The Queensland property developer FKP Ltd, which is leading the consortium which the government has given this 40-year lease to, has been prosecuted for illegally felling trees and destroying vegetation. It was fined $4,000 by Maroondah council after chopping down gums and failing to protect other trees on a Croydon building site in January this year. It has also been guilty of clearing rare coastal bushland in the shire of Maroochy in Queensland. It is just not good enough to allow a group with such a record to access areas adjacent to rare coastal tea-tree or moonah woodland. The ancient moonah woodlands on Point Nepean have been heritage listed.

This issue demonstrates clearly the fundamental difference between Liberal and Labor on environmental issues. When you see a thing of beauty, do you cherish it and protect it, or do you try to make a quid out of it and profit from it? The Liberals invariably do the latter. They just cannot help themselves. Originally they wanted to sell it all. Since then, under pressure from the public, they have done backflip after backflip but still cannot bring themselves to do the decent thing. Today is their chance to do the right thing, support my private member’s bill and protect Point Nepean for all Victorians—not just the few—for all time. It is high time the federal government cut through their veil of secrecy surrounding the leasing process by providing full public disclosure of all the bids for Point Nepean so we can discover whether the FKP lessee disclosed these previous environmental breaches. (Time expired)

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.

PRIV  ATE MEMBERS’ BUSINESS
Defence: Royal Australian Air Force Contingent Ubon

Mr BALDWIN (Paterson) (12.47 p.m.)—I move:

That this House:

(1) notes the efforts of the personnel of the RAAF Contingent Ubon who served in Thailand during the Vietnam War;

(2) acknowledges that these personnel were assigned to provide support operations in Ubon post-June 1965 by the Joint Planning Committee Report 110/1964;

(3) acknowledges this directly affected the Vietnam War in that they provided air and ground defence of the Royal Thai Air Force Base and all assets and installations the United States Air Force (USAF) collocated on the base whilst the USAF 8th Tactical Fighter Wing undertook combat operations into North Vietnam and Laos;

(4) acknowledges that the RAAF 79(F) Squadron were on “Alert 5” status and provided CAP operations in Ubon;

(5) acknowledges that whilst the RAAF servicemen were assigned to the command and control of the USAF 7th Air Force in Vietnam, they remained under Australian control; and

(6) recognises the efforts of those who served in Ubon by the way of the award of the Vietnam Logistic and Support Medal (VLSM) to be worn by the amendment of the “Area of Operations” for the Vietnam War effort and by the amendment of the regulations governing the issue of the VLSM.

Today I would like to recognise the efforts of personnel of the RAAF Contingent Ubon who served in Thailand during the Vietnam War. This particular group of veterans is seeking parity with other Australian Defence Force personnel under our system of honours and awards, with its claim that the Vietnam Logistic and Support Medal is the appropriate campaign medal for their direct support operational service during the Vietnam War.

The principles that govern awards are often longstanding but were articulated comprehensively and put in place by the CIDA review under the then Labor government in 1993-94 and have been subsequently supported by the current government. The then Minister for Defence Science and Personnel, Senator John Faulkner, in 1994 signed the gazettal notice that prescribed the eligibility for the Vietnam Logistic Support Medal. Notably that eligibility was not extended to those posted at RAAF Ubon.

I firstly say thank you to Mark Stockton from my electorate, who is present in the gallery today, whom I have been working with on this matter. Mark has kindly shared his experiences with me about his service. This motion today is to acknowledge that these personnel were assigned to provide support operations in Ubon post June 1965 by the joint planning committee report 110/1964. It is to acknowledge that this directly affected the Vietnam War in that they provided air and ground defence of the Royal Thai Air Force base and all assets and installations of the United States Air Force on the base whilst the US Air Force 8th Tactical Fighter Wing undertook combat operations into North Vietnam and Laos.

It acknowledges that the RAAF 79(F) Squadron were on ‘alert 5’ status and provided CAP operations in Ubon. It acknowledges that, while the RAAF servicemen were assigned to the command and control of the US Air Force’s 7th Air Force in Vietnam, they remained under Australian control. To recognise the efforts of those who served in Ubon by way of the awarding of the Vietnam Logistic and Support Medal, there need to be amendments to the ‘area of operations’ for
the Vietnam war effort and amendment of what governs the issue of the medal itself.

One of the arguments for the awarding of this medal put forward by some of the veterans who participated in Ubon is that, although they were based in Thailand, their actions were directly related to the conflict in Vietnam. In support of their case, they have compiled a range of information relating to their roles during the war. I will go through some of those now. On 25 November 1964, the US Secretary of Defense, Robert McNamara, stated:

If it were necessary to apply increased pressure on North Vietnam by way of participating in these attacks, it would be very helpful for the United States to have Australian aircraft either participating in these attacks or standing by to protect Thailand, Laos and South Vietnam against expected counter attacks.

Some veterans say that this was a precursor to their direct support of the Vietnam War effort. Following this statement, the US Air Force commenced Operation Rolling Thunder from bases within Thailand and this led to the ‘alert 5’ task undertaken by the RAAF Sabres at Ubon. From April 1965, the first US Air Forces F4 aircraft arrived at Ubon, and that force built up to over 75 aircraft by the end of 1968.

In June 1965 a conference between the US Air Force and the RAAF at Ubon agreed that the RAAF Sabres would undertake the ‘alert 5’ task to protect the Ubon base. The use of force and the protection of forces within Thailand were authorised. This included the protection of US Air Force personnel within Thailand involved in the Vietnam War. Some veterans of Ubon say the role of the ground based defence could not be misconstrued as air defence of Thailand but in fact was in direct support of action being undertaken in Vietnam. They also say that the RAAF at Ubon were included in the mainland South-East Asia air defence system as the Vietnam War escalated and air defence became increasingly important, and that all of South-East Asia was joined into one fully integrated air defence system for the Vietnam War area.

I have spoken to the Minister Assisting the Minister for Defence about this matter and he has agreed to take a look at the case put forward by veterans of Ubon. The minister has indicated that he will invite the RAAF Ubon Reunion-Recognition Group to a meeting with him and the Directorate of Honours and Awards so that respective information sets can be reconciled. The minister is very willing to consider any new information, particularly information which supports a claim that RAAF Ubon aircraft were tasked to support the Australian national effort in Vietnam or that personnel were required by government policy to directly support the Vietnam effort. I thank him for that, and I am sure the personnel who served in Ubon will thank him as well.

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

Mr EDWARDS (Cowan) (12.52 p.m.)—I am happy to second the motion. I have some support for the motion, and I compliment the member on bringing the motion forward just as I compliment the Ubon medal group who have fought a very long and protracted campaign to have their claims recognised. I might say at the outset that the position of the ALP is today what it was under previous shadow spokespersons Chris Schacht and Laurie Ferguson, both of whom were very sympathetic to the Ubon group. I am pleased to see that the incoming minister has adopted a more responsible and reasoned position to this claim than his predecessor. The group says:

The claim made by ex RAAF personnel who served at the Royal Thai Air Force Base, Ubon Thailand from 25.6.1965 to 31.8.1968 is that their service was a ‘direct support’ role of the Vietnam War effort, undertaken within Australia’s ‘concept
of operations’ for that war effort! This service to Australia has, so far, gone unrecognised as such and must so be recognised to rectify Australia’s military history of the overall Vietnam War effort.

The incoming minister has said that he is prepared to meet with this group. He rang me today and told me what he was prepared to do, and I indicated support for that process. I must say that this contrasts dramatically with the very, very shabby way in which the previous minister—the recently sacked ‘minister for medals’, as she described herself—treated this particular group of veterans.

The other thing that I think must be taken into account is the very strong support that this group has received from Rear Admiral Kennedy. I know that Rear Admiral Kennedy wrote to both Minister Scott and Minister Vale, giving very, very strong support to this claim. In the letter that Rear Admiral Kennedy wrote to Danna Vale in April 2002 he said:

In 1999 I was chosen by Minister Bruce Scott, your predecessor, to assist Mr Justice Mohr in the Review of Service Entitlement Anomalies in respect of South East Asian Service 1955-1975. I will not read all of the letter, but he went on to say:

I thus became convinced that RAAF service from June 1965 on was in direct support of the Vietnam War and Justice Mohr supported this. Failure to recognise correctly this service is a real injustice.

I find it impossible to understand how the previous minister could come into this House and argue that the Ubon group was in Thailand to help defend Thailand—that is rubbish! The Ubon group was in Thailand to support the Vietnam War. As far as I am concerned, they are entitled to the Vietnam Logistic and Support Medal. I have a further letter from Rear Admiral Kennedy, who after writing to the minister in April wrote to her again on 21 September, saying:

Dear Minister,

I wrote to you more than four months ago asking you to look again at the RAAF UBON Anomaly. When may I expect the courtesy of a reply?

Well, it appears that that courtesy was never extended to Rear Admiral Kennedy or to the Ubon group. I simply say this: it is time that we dealt with this issue. There is a solid claim to, in the words of the motion moved by the member:

... recognise ... the efforts of those who served in Ubon by the way of the award of the Vietnam Logistic and Support Medal ...

These blokes went away from home, they supported the effort in Vietnam, and I think they have a very, very good case for the recognition of that service by way of this medal.

Mrs Elson (Forde) (12.57 p.m.)—I am pleased to rise today in support of the private member’s motion by Mr Bob Baldwin, member for Paterson, to ask the government to fully investigate all new evidence to support the issue of the VLS Medal to the Royal Australian Air Force—RAAF—personnel who served in Ubon in Thailand during the Vietnam War. I thank the member for Paterson for moving this motion to recognise their contribution.

I would also like to acknowledge Mr Mal Barnes, who lives in my electorate, for his dedication and persistence to ensuring that the personnel receive their correct recognition, based on new evidence. Mal has stated that, with the new evidence provided, he will not let this matter rest until they receive their fair hearing based on this new evidence. I have no doubt in my mind that Mal will keep his word to continue fighting for a fair hearing.

I would also like to take this opportunity to acknowledge the Royal Australian Air Force personnel who served in Ubon. The Royal Australian Air Force deployed personnel to Ubon from 1965 to 1968 after receiving a request from US President Johnson for
Australian assistance and support in the lead-up to the Vietnam War. In response to the President’s request, the joint planning committee, in conjunction with the joint intelligence committee, reported to the government on the Australian Defence Force and the possible Australian contribution to phase 2 operations in the Vietnam War. Both the defence committee and the chiefs of staff committee then endorsed the report. However, the RAAF Ubon Reunion Recognition Group have advised me that there were three contribution aspects of the Australian Defence Force service mentioned in this report: firstly, the Army and sending a battalion; secondly, the Navy and the use of HMAS Sydney and escort vessels; and thirdly, the Air Force.

The report stated:

The scale of air effort currently suggested indicates that this is well within the capacity of the United States air forces and naval air units in the area. The possible use of Sabres at Ubon has been raised and with a small increase in manpower they could be employed in the ‘air defence role’ at a high state of alert.

The report also went on to say that if the squadron were not required in the air defence role it then could participate in operations, including ground attack over the whole area of Laos and North Vietnam, as envisaged in the United States proposals.

This RAAF ‘direct support’ contribution, which was conceived in exactly the same instrument that authorised other Australian Defence Force contributions to the war effort, for military purposes is a ‘Vietnam War contribution’, even if it was undertaken in Ubon in Thailand and not in Vietnam. Although the RAAF were not in Vietnam and were based in Ubon, they state they still provided air and ground defence at the Royal Thai Air Force Base as well as protecting all assets and installations of the United States Air Force whilst the United States Air Force 8th Tactical Fighter Wing undertook combat operations in North Vietnam and Laos. The Ubon personnel stated that they were on standby, should it be necessary to apply increased pressure on North Vietnam by way of air attack. They were advised by the US that it would be helpful to have Australian aircraft either participating in these attacks or on standby to protect Thailand, Laos and South Vietnam against counterattacks.

On several occasions the United States Air Force requested the ‘use’ of RAAF Sabres in Laos for various operations. Trials of long-range fuel tanks and the fitting of United States Air Force bombs were undertaken at Ubon. The United States Air Force were given command control of the Ubon contingent and they were the ones who released them from alert status. The reunion group claim that the Alert 5 air defence role continued from 25 June 1965 until their withdrawal in 1968 and they performed exactly the same role as the RAAF’s F18 fighters. That role was the protection of coalition forces assets whilst they engaged the enemy.

It is interesting to note that the HMAS Sydney veterans who were also deployed under the same instructions as the RAAF Ubon personnel were acknowledged and given the Vietnam Logistic and Support Medal and received royal assent on 24th February 1993. The RAAF Ubon veterans have advised me that had they known about the JPC report 110/1964, the report that was instrumental in HMAS Sydney veterans receiving their medals, and the report that authorised Ubon’s role conjointly with HMAS Sydney’s role, they would have ‘joined the fight’ back in 1991 and would have had this anomaly rectified. Unfortunately, the Ubon veterans only recovered the JPC report in 2002. The RAAF Ubon Reunion Recognition Group have spent many years investigating their case and pleading it to the Minister Assisting the Minister for
Defence and they have provided all evidence to support their claim. I am pleased to acknowledge Minister Brough’s indication that he is willing to organise a roundtable discussion. (Time expired)

Mr LAURIE FERGUSON (Reid) (1.02 p.m.)—I certainly put on the record my appreciation of the member for Paterson’s raising this matter. It certainly represents a very studied rebuke to the Minister for Veterans’ Affairs. I am genuinely pleased today that Minister Brough has determined that there should be a roundtable discussion of these matters. They have been on the public agenda for quite a while. A series of other inquiries into this matter have failed to come up with the rational, logical conclusion that this service was as the campaigners claim. In my period in the portfolio I had a significant number of discussions with Mal Barnes, Richard Stone, Michael Morrissey and other Ubon veterans. I have to say that they have displayed a degree of analysis and work that should not merit the reported tantrum that the minister put on in the office of the member for Forde. It certainly would represent a very sorry state of affairs that people who think they have a legitimate grievance, think they have some rights and think that their service should be recognised were treated in such a fashion.

I have supported this campaign for the personnel who served at Ubon, Thailand, from 1962 to 1968, during an earlier part of the Vietnam War. I well recall that in 1997 the member for Mackellar, who was the then minister, sought to continue the fiction that our personnel were at Ubon ‘pursuant to our arrangements and our obligations under SEATO and it was separate from our involvement with the Vietnam War’. That was her comment on 13 February 1997, in an attempt to stonewall these people’s rights. That laughable claim was demolished by the release of declassified United States military documents. These documents freely acknowledge that the US tactical control force in Thailand, with which the RAAF Ubon contingent was connected, was ‘assigned to the tactical air support group in Vietnam’ and formed part of the South-East Asia Integrated Tactical Air Control System, which controlled strategic air operations. These operations included, of course, Operation Rolling Thunder, which involved the saturation bombing of Vietnamese National Liberation Front and Pathet Lao positions and supply lines.

Only diehard, self-interested partisans now deny that the real task of the RAAF Ubon deployment was to provide air and ground defence for US aircraft and personnel engaged in missions that originated from Thai soil. The SEATO ‘cover’ was a ruse to deny the true nature of those operations, which were under American rather than Thai control. The fact that RAAF personnel were directed to remain in Thai airspace—and the opposition has always freely acknowledged that they were—does not detract from this reality.

Since 1997, when I first publicly supported the Ubon cause, their position has been considered by two service entitlement reviews that the government was forced to commission—and I mean forced, because of the pressure of these groups—namely, the 1999 Mohr review and the 2002 independent review of veterans’ entitlements chaired by Justice Clarke. As a result they obtained repatriation pension rights and upgraded medal entitlements. Significantly, these acknowledge that RAAF operations at Ubon assumed a warlike nature from June 1965, when the original rules of engagement, which basically restricted the use of force to cases of self-defence, were revised.

The Ubon personnel continue campaigning for access to the Vietnam Logistic and
Support Medal, the VLSM. Once again they have hit a brick wall with the coalition over recent months. It seems that the coalition are still reluctant to acknowledge the inextricable link between operations at Ubon and the Vietnam War. That is what the resistance to this medal is all about. Following the earlier reviews, the government are happy to concede that service at Ubon after June 1965 was ‘warlike’ but they refuse to mention just which war was involved. Do they suggest that Thailand was under direct military attack between 1965 and 1968? Of course they do not. The truth is that Ubon was all about the Vietnam War, and their medal should acknowledge this fact.

In conclusion I again commend the initiative in bringing this matter forward. I hope that the pressure by the member for Paterson, members of the opposition and the service community is successful. I totally repudiate the minister’s recent outburst in this House when she tried to say that giving these people their rights somehow besmirched or downgraded the Vietnam veterans who died in Vietnam. That is a total fallacy and I repudiate it totally.

Mrs HULL (Riverina) (1.07 p.m.)—It might very well be asked why the Labor Party, the opposition in this case, did not change this issue in the 13 years of their rule, particularly in 1993 when we saw the Vietnam Logistic and Support Medal regulations declaration come out, signed under Senator John Faulkner. It is very pertinent that this should have been rectified by them at the time. Not wanting to play politics, as others have in the House today, I want to merely look at the issues associated with the member for Paterson’s motion. I think he needs to be commended on putting this motion forward.

I would like to acknowledge the contribution made by our defence forces during the Vietnam War and the sacrifices made by our servicemen. I personally believe that all those who offer their services and who are deployed overseas in any battle—even in the earlier wars on Australian shores—need recognition and are entitled to recognition. Such recognition should be given to the people who served in Ubon. I certainly welcome the minister’s offer to have discussions with the RAAF Ubon Reunion Recognition Group because I think this is one step forward to certainly overcoming some of the issues of recognition that the RAAF Ubon Reunion Recognition Group would like to see resolved. Also, I welcome the fact that the Ubon people will get, hopefully, a formal briefing on what information was particularly at hand in determining entitlement for the Vietnam Logistic and Support Medal, and also on the assessment process that took place with respect to Ubon. It is my understanding that the minister is very willing to consider any new information, particularly any information which supports the claim that RAAF Ubon aircraft were tasked to support the Australian national effort in Vietnam or that personnel were required by government policy to directly support the Vietnam effort.

My electorate of Riverina is home to all three arms of the Australian defence forces and I am extremely proud to represent the many dedicated service men and women who live and work on our bases. Of course, many of the people who served in Ubon clearly would have trained at RAAF Base Wagga Wagga. Just recently I spent some time with Dr Peter Ilbery at the Uranquinty recognition memorial day discussing what role Uranquinty played in the Second World War. I think it is most important to bring this to the table, simply because it is the recognition that Dr Ilbery wanted and has received for the way in which Uranquinty was part of the process and for how it fared in the train-
ing of pilots who served overseas. It is a very proud day and a very proud moment for these people. What you see here is a sense of pride, a sense of wanting to be recognised as having served and having been served in this process in Ubon, and a desire for that to be recognised with a medal, and I think that is most important. I understand those feelings because, having a service base in my electorate, I find that I have all of these representations constantly. RAAF Base Wagga Wagga is home to a large section of our defence community. It is one of the city’s largest employers, with around 1,200 personnel working, studying, socialising and living at RAAF Base Wagga Wagga. It is the largest ground training base in the RAAF, and support and training activities are carried out on the base.

The issue that I particularly want to raise is the support that the member for Paterson has provided to the Ubon service. He has brought this issue to the table in fairness and in decency, and the minister has responded to the member Paterson. To his credit, he has gained an enormous amount of latitude with respect to trying to finally put this issue to rest after all of these years—something, as I said, that any other government at the time could have done many years ago. Again, I commend the member Paterson on what he has been able to achieve in bringing recognition to the plight of those people. (Time expired)

Mr PRICE (Chifley) (1.13 p.m.)—I, too, want to rise and speak on the motion moved by the honourable member for Paterson and thank him for bringing the issue before the House. You will note that all speakers have spoken in favour of his resolution. I say generally that as a nation we have not treated Vietnam veterans well. I just remind the House that when we ask members of the armed services—whether they are in the Army, the Navy or the RAAF, and whether they are regulars, reserves or conscripts—to go, they actually do not get a choice as to whether or not they go. It is a fact that we should always value the service they render to the nation under the direction of the government of the day.

The member for Riverina raised the issue of why this was not fixed up under 13 years of Labor. I suppose it is a fair question, but it is also the case that additional information comes forward with the effluxion of time—particularly, there is additional information with records being declassified. I think it is quaint that we still have the concept that only those who are at the front line are involved in a war. Why would you put an Air Force base right at the front line? It makes quite some sense now that you should have aircraft, for example, operating and being based well away from the front line. There is no doubt that this was a front-line base. Aircraft were taking off three at a time, 24 hours a day, and the Australians and other service people at the base at Ubon had a price on their heads. The critical issue is that we can change the boundaries of what we define as the ‘area of operation’. There is no doubt that the United States Air Force believed that this was an ‘area of operation’ in support of the war in Vietnam and operations in Laos, and I think Australians should do the same.

The other issue is that I want to thank Mal Brough for agreeing to see these veterans. I have no doubt that they will be well received and sympathetically heard, and all members on the Labor side have welcomed that initiative. Again, for the member for Riverina, it really does contrast with the meeting that Danna Vale had with the very same group of people.

The DEPUTY SPEAKER (Hon. I.R. Causley)—The member for Chifley will address members by their appropriate titles.

Mr Price—I will quote one of the participants at that meeting, who said:
CHAMBER

The RAAF Ubon Group was meeting to provide the Minister with more irrefutable evidence about their long outstanding anomaly claim for Vietnam War recognition. The meeting took place in the office of the Member for Forde, Kay Elson MP. She also spoke on this motion. The quote continues:

Kay too was stunned: “The Minister took objection to the fact that we pointed out untruths, bias and plain lies in recent correspondence received from the Minister and her advisers.” Mal Barnes pointed out: “She stood up, shouted and directed verbal abuse at me whilst I remained seated in a chair. She was off her tree. It left me shell-shocked! In all my years in commerce, I have never been subjected to such inexcusable arrant insulting behaviour from a person of high office, her conduct at this meeting was nothing short of preposterous and most certainly not that of a Minister—

The DEPUTY SPEAKER—The member for Chifley is getting very close to flouting the standing orders here. If you want to attack a member, you should do it by a substantive motion.

Mr PRICE—These are not my words.

The DEPUTY SPEAKER—I still say that you are running very close to flouting the standing orders.

Mr PRICE—That is an interesting interpretation, but I will accept your ruling. All I can say in fairness to the minister is that I believe that behaviour was out of character, but I still think it was totally unacceptable. It was embarrassing to the member for Forde, Kay Elson, and I find it totally embarrassing. I want to reiterate that I have every confidence in Mal Brough. I believe that this motion has assisted in facilitating the meeting, and I thank the member for Paterson for moving it. Like all other speakers, I hope there will be a satisfactory resolution of what appears to be, on prima facie evidence, a longstanding injustice to a group of Vietnam War veterans. (Time expired)

The DEPUTY SPEAKER—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.

Hepatitis C

Ms GEORGE (Throsby) (1.18 p.m.)—I move:

That this House:
(1) acknowledges that hepatitis C is the most frequently reported notifiable disease in Australia with about 240,000 people infected and an additional 16,000 new infections each year;
(2) recognises that hepatitis C poses a substantial threat to the health of Australians, due to the failure of the Government to fund the implementation of the National Hepatitis C Strategy; and
(3) calls upon the Government to fund the implementation of the National Hepatitis C Strategy in order to:
(a) reduce the transmission of hepatitis C;
(b) improve access to hepatitis C treatments;
(c) support and resource programmes which maintain and promote the health, care and support of people with hepatitis C; and
(d) prevent discrimination and reduce the stigma and isolation of those infected with hepatitis C.

I have brought this issue to the attention of the parliament because I am concerned that we are witnessing a growing epidemic of hepatitis C in Australia, coupled with a government strategy which has clearly made little progress in curbing this problem to date. I say that hepatitis C poses a serious public health issue because it is estimated that today about 242,000 people are living with the disease. Experts outside the department and government warn us that the epidemic should be treated as an urgent national public health problem. They argue that,
unless there is an improvement in the efforts by this government to deal with the epidemic, on current projections up to 836,000 people may be infected by the year 2020. The infection rate, unfortunately, continues to rise significantly. In the last year that figures were available—back in 2001—16,000 new cases were identified. The research indicates that approximately 50 per cent of regular users of injecting drugs were thought to have been infected in the period 1996 to 2000.

So, in that context, it is critical that any government strategy understands the correlation between the epidemic and unsafe injecting drug use. It needs to be understood that 75 per cent of people who are infected by hepatitis C go on to develop some form of chronic infection. They suffer a diminished quality of life, especially those who unfortunately develop chronic liver disease, cirrhosis and cancer. To date, there is no widely available cure for hepatitis C, and it appears from what I have read that only a very tiny proportion of people infected are receiving any treatment at all.

A recent report conducted by the New South Wales Anti-Discrimination Board found that people with hepatitis C often experience social isolation and a lack of adequate support from family, friends and the community. Regrettably, the report pointed to serious harassment, discrimination and vilification at times as well. I think this arises predominantly from the failure by the community at large to appreciate the causes and the impacts of the disease and also the associated stigma that comes with the use of injecting drugs.

It is interesting to note that the government’s response to this growing epidemic has been virtually to say nothing at all and to hide from public scrutiny a recent report that was prepared for the federal department of health by an outside body of experts. Media sources who were able to obtain access to the report noted that the report was highly critical of the Howard government for ‘abrogating responsibility’ and refusing to provide leadership and resources to fix what they described as an ‘urgent’ public health problem.

I guess that, when you look at what was reported in the media and at the content of the report, it is no wonder that the Minister for Health and Ageing sat on the report for months on end and refused to release it publicly. I am still not aware today that the matter is out there on the public record. But one of the newspapers was able to gain access to a copy of the independent report, which used words to the effect that the government strategy has not succeeded in controlling the epidemic, the urgency of the situation cannot be overstated and, in summary, the report is a damning critique of this government’s failure to act responsibly and decisively on this issue.

It is clear that the government strategy is not working, for it has made little or no progress in controlling the growing epidemic of hepatitis C. The government’s recent decision to commit $16 million over the next four years, while welcome, must be accompanied by an implementation plan and adequate funding or it will fail to address the matters that I have raised today. The urgency cannot be overstated. (Time expired)

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

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

Dr SOUTHCOTT (Boothby) (1.23 p.m.)—First, I will give some facts on hepatitis C: it is a blood-borne virus and over 75 per cent of it is contracted through intravenous drug use. The figures quoted by the member for Throsby are in part right—it is
certainly true that probably about 240,000 people are infected with hepatitis C and there are probably about 16,000 new infections per year. But the member for Throsby was wrong when she said that this is a growing epidemic. Recent data from the National Centre in HIV Epidemiology and Clinical Research indicates that the number of reported diagnoses of hepatitis C infection in Australia has declined from a peak of 20,465 cases in 2000 to 15,953 cases in 2002. These are not estimates; these are reported cases. This was the lowest annual number of hepatitis C diagnoses reported in the past five years. The reported number of newly acquired hepatitis C infections has declined from 672 cases in 2001 to 434 cases in 2002.

The decline in reported diagnoses certainly offers no evidence at all for the member for Throsby’s proposition that what we are seeing is an escalating epidemic, but there is no cause for complacency. I will give a bit of detail on the measures that the government has taken through various types of funding over the last five years, but, first, I will just say a little about hepatitis C. At the end of 2001, there were 210,000 people living with hepatitis C infection in Australia. I will take the average figure, because all of these are models. Fifty-three thousand people had been exposed to hepatitis C virus but had cleared the virus and were not chronically infected; 124,000 were chronically infected with hepatitis C with stage 0 or stage 1 liver disease, which is an early stage of liver disease; 27,000 were chronically infected with hepatitis C virus with stage 2 or stage 3 liver disease; and about 6½ thousand were living with cirrhosis. As I said before, to date the majority of hepatitis C infections have been contracted through the sharing of injecting equipment among people who inject illicit drugs.

It is important to recognise that Australia is leading the international community. Australia has developed a world-first strategic document—the National Hepatitis C Strategy, which runs from 1999 to 30 June 2004. What we are looking at is developing a second National Hepatitis C Strategy in consultation with all of the stakeholders. It is important to recognise that the strategy is not a funding instrument. It provides a framework for coordinated national action on hepatitis C in partnership with the people affected, governments at all levels and medical, scientific and health care professionals.

As to funding for hepatitis C, in February 1998 the government announced $1 million for social and behavioural research to develop strategies to combat the spread of hepatitis C. This was done through the NHMRC. In March 1998, there was a one-off grant of $700,000 for hepatitis C education and prevention. In the 1999 budget, the government announced $12.4 million over four years for hepatitis C education and prevention initiatives. There was also $30.5 million for needle and syringe programs through the COAG agreements. In this year’s budget, again, there is $15.9 million over four years to continue hepatitis C education and prevention initiatives and $38.7 million for continuing illicit drug diversion supporting measures, including needle and syringe programs.

On the issue of reducing transmission, as I said, the current National Hepatitis C Strategy runs until 30 June next year. The second national strategy will begin on 1 July 2004. It is being developed in consultation with stakeholders. On the point in the motion relating to increased access to treatment, from 1 November 2003 hepatitis C sufferers will have access to pegylated interferon. There has been a section 100 listing for pegylated interferon. (Time expired)

Ms HALL (Shortland) (1.28 p.m.)—I rise to support the very important motion that has been moved in the House today by the mem-
member for Throsby. Hepatitis C is a very insidious type of disease. It is one that you are not aware that you have contracted at first. When we listen to the figures that have been quoted in the House today, we hear that 240,000 people in Australia are infected with hepatitis C. That is more than one per cent of our population, so it is a significant public health issue. I join the member for Throsby in calling on the government to immediately release and act on the report. Unless they do that, their inaction is going to create more problems within the community and will lead to a greater spread of the disease. I feel that it is something that needs to be taken very seriously.

It is interesting to look at some of those people who are at risk of contracting hepatitis C. They include people who receive blood products before screening. In my previous occupation I dealt with a young man who had an immune deficiency. He contracted hepatitis C. His one goal was to get his driver’s licence. He got his driver’s licence and died two weeks later.

The point I am making is that hepatitis C can be lethal. People can be infected in ways they know nothing about. Unless we as legislators ensure that research into hepatitis C is adequately funded, more and more people in our community will be infected. Health professionals are a group at extreme risk. Other ways by which people can be infected are body piercing, tattooing and intravenous drug use.

This brings me to the report entitled Road to recovery, which was recently brought down in this parliament. That report recommended that the strategy to deal with drug use be changed from harm minimisation to prevention. I think this has serious implications for dealing with hepatitis C. If we are going to engage in a war on drugs rather than ensure that a minimum of harm is caused by drug addiction, it will lead to an increase in the rate of hepatitis C infection.

I was very disturbed to hear on the news today that the Prime Minister is going to introduce into this parliament legislation to make it okay to discriminate against a person who is a drug user or a drug addict. That might sound fine when you put it in those terms, but it has serious health connotations, particularly when we are looking at hepatitis C. I would urge the Prime Minister to think about the implications of that type of legislation. I know that, when the committee was considering the Road to recovery report, a number of members on the government side of the House argued strongly for the needle exchange program to be ended. The previous speaker said that the rate of notification of hepatitis C in our community had decreased and that we had it under control.

To be quite honest, Australia’s efforts have been recognised worldwide. At the core of those efforts is the needle exchange program, a program that minimises the spread of hepatitis C. I would strongly argue that we should continue down that path. We should look at minimising the spread of hepatitis C, we should invest money in the treatment of hepatitis C, we should invest money in education and we should invest money in bringing this disease under control in our community. I will finish where I started, by saying once again that this is a serious public health issue which impacts on people from all walks of life. I urge the Prime Minister to move away from the legislation that he is planning to introduce which will make it legal to discriminate against drug users. (Time expired)

Mr CADMAN (Mitchell) (1.33 p.m.)—Nobody would deny that hepatitis C is a serious disease and one that causes great distress to sufferers. There are a large number of people suffering from hepatitis C in Austra-
lia. There are probably about 250,000 infected and an additional 16,000 new infections each year. It is very interesting to note that, over the last couple of years, a declining number of people have been contracting hepatitis C. That could be linked—although this is speculative—to the Tough on Drugs program, because 75 to 80 per cent of those that contract hepatitis C are intravenous drug users. The decline in the availability of heroin and products used by intravenous drug users could be linked to the declining number of people reported to have contracted hepatitis C. Recent data from the National Centre in HIV Epidemiology and Clinical Research indicates that the number of reported diagnoses of hepatitis C infection in Australia has declined from a peak of 20,465 in 2000 to 15,953 cases in 2002.

That is a good result, but we still have to put more effort into the program. The government, far from lacking in dedication, has been active in the program since coming to office. Let me read out some of the commitments made by the government. In 1998 there was $1 million in special funding for social behaviour research. In March 1998 there was $700,000 in one-off funding for hepatitis C education and prevention. In the 1999-2000 federal budget there was $12.4 million over four years for hepatitis C education and prevention. Also in the 1999-2000 federal budget there was $30.5 million over four years for COAG. In the 2003-04 federal budget there was a further $15.9 million over four years for the continuation of the hepatitis C education and prevention program. Also in the 2003-04 federal budget there was $38.7 million for the continuation of the COAG Illicit Drug Diversion Supporting Measure.

All of these show a financial commitment as well as an on-the-ground ground commitment, working with the states for a strategy to bring under control this dreadful disease. There has been no lack of commitment from the federal government. Today is the first working day that interferon has been available to hepatitis C users. This is a further example—and a cost to the Pharmaceutical Benefits Scheme—of this government’s commitment to reduce the impact and to help treat chronic sufferers of hepatitis C. Look at the funds that have been involved in the government’s commitment to the needle exchange program. Funding to the needle exchange program has increased from $13 million in the 1995-96 budget to $22.6 million last year. The Australian people have invested almost $150 million in the needle exchange program. That is a huge investment to help people who are suffering from this disease and who basically are intravenous drug users.

It is an insidious disease and causes a massive impact on those people who contract it. There have been recent reports of some very significant Australians who have contracted the disease. The government have been active. They have committed funds and are committed to the program. They are investigating the retractable needle program—already they have invested millions of dollars in that program—and have a continuing investment in education and prevention, in cooperation with the state governments. We have launched into a second strategy which will be spelt out in cooperation with the states and territories, because they too have to be involved. It has to be a national program. I reject the claims by the previous speakers that the government are not committed and we have not got results. The facts are quite different. We are getting results, we have commitment, we have put funds in and we are running programs to alleviate suffering and to prevent extension of this dreadful disease.

Mr BRENDAN O’CONNOR (Burke) (1.38 p.m.)—I am very happy to speak to
this motion, which is a very important one. It recognises how important hepatitis C is in this country and how we should be looking to redress it. Historically, it is fair to say that Australia has been internationally well regarded for the manner in which we dealt with HIV-AIDS and the way we were able to, through the early eighties and mid-eighties, mitigate the adverse effects of that awful disease by a great program of education which particularly focused upon prevention. Whilst I do not want to necessarily compare the two illnesses, it is fair to say that they are both infectious diseases and there are some areas of commonality between the two. Therefore, it is important for us to look at the way in which we dealt with what was an epidemic then—and a potentially far worse one—and look at the way in which we are dealing with hepatitis C.

Hepatitis C is now—certainly in some areas—being called the silent epidemic. Therefore, it is unfortunate that the member for Boothby, in spending more time contradicting the member for Throsby than focusing on the motion, encouraged unnecessarily some complacency in relation to this matter. Whilst there might be some positive signs that the rate of increase is diminishing, the fact is—and every speaker on the motion has mentioned it—that almost one-quarter of a million people are now infected. Approximately 16,000 people per year are recognised as new sufferers. Therefore, it is something that we should not be complacent about; indeed, we should be vigilant in ensuring that that rate of increase drops. The only way that will happen is if the Commonwealth, in conjunction with the states, of course, targets properly and spends sufficient resources to ensure that we can do exactly that.

I am very happy today to get up and speak to this motion moved by the member for Throsby. It is one that should be moved in this place. Other than those criticisms that I had of the member for Boothby, it appears that, on almost all grounds, all speakers to this motion agree on the importance of us tackling this awful disease. As the member for Throsby said, there is quite often a social stigma attached this disease. It is a very difficult disease in many ways because you can be infected without knowing it. It is an asymptomatic disease in that respect, until it becomes chronic or acute. For those who do suffer from the symptoms of the disease, they can suffer anything from sore joints, headaches and acute stomach pain to chronic fatigue, blurred vision and dizziness. Combined with that social stigma, the actual symptoms certainly make it very difficult for sufferers to lead an ordinary life, and it takes some courage for them to do just that.

It is important that we underline the effects this disease has on the sufferers and that we propagate, as far as possible, the way in which this disease can be contracted so that people do not contract the disease. Whilst I concur with the comments of some members of the government in relation to what has already been expended in this area, more can be done to achieve the objective of mitigating the adverse effects. One way would be to fully implement the national health strategy in this area. It is something that has to be done. As I said, I think the government could take a leaf out of the book of previous governments in the way in which they dealt with HIV-AIDS, really focusing on education and prevention so that this disease can be reduced and, hopefully, one day will attract no further sufferers. (Time expired)

Mr CADMAN (Mitchell) (1.43 p.m.)—by leave—I only have a couple of minutes, but I need to point out to the House that 31 million needles were distributed last year at a cost of $22 million to the Australian public. The recent report by the House of Representatives Standing Committee on Family and Community Affairs made a number of rec-
ommendations on the needle exchange program. They are sensible recommendations, because it was not possible for that commit-
tee to gain adequate information about this program. We found that we were spending a lot of money on the exchange program. We were uncertain what the needles were being used for and where they were finishing up. It seemed that, rather than an exchange pro-
gram, it was a needle distribution program—there were just so many going out.

A recommendation of that committee was that a complete evaluation of the needle and syringe program be undertaken by the Aus-
tralian National Audit Office. It said that the issues that could be assessed were the distrib-
ution, the adequacy of exchange and accountability and the associated education and counselling programs that could be linked to the exchange program, particularly for hep C sufferers. I commend that recommendation to the House.

The SPEAKER—Order! It being 1.45 p.m., the debate is interrupted in accordance with standing order 106A. The debate is ad-
joined and the resumption of the debate will be made an order of the day for the next sit-
ting.

STATEMENTS BY MEMBERS

Health: Funding

Ms O’BYRNE (Bass) (1.45 p.m.)—Last week the Senate Select Committee on Medi-
care delivered their inquiry report and put forward their proposals to address the crisis in health care. These bright sparks came up with a plan to increase the private health insurance rebate to 40 per cent a proposal that, despite being hosed down very quickly by the government, once again shows just how out of touch many government members and senators are with what the public actually want in their public health care system. It is no wonder the Treasurer put a very quick stop to this bright little idea because an in-
crease to the private health insurance rebate would cost $800 million. So how could we actually use $800 million effectively? Eight hundred million dollars would be a boost to the public health system struggling under this government’s cuts, cuts that have cost the Tasmanian public health care system $40 million over five years and the national health care budget a billion dollars over five years. Eight hundred million dollars could be used to fund the Commonwealth Dental Health Scheme, cut by this government, for another eight years. It is time this govern-
ment faced up to the reality about public health care and started looking at realistic strategies to save the best health care system this country has ever had—Medicare.

Cook Electorate: Green Corps Initiative

Mr BAIRD (Cook) (1.46 p.m.)—I rise to commend this government on its Green Corps initiative. Last week I opened the Towra Point Sustainability Project in my electorate. This project is particularly impor-
tant to the people of Cook as it will clean up one of the most environmentally sensitive and historically significant habitats in the nation. Towra Point is a Ramsar site where birds from Siberia and Japan nest. Kurnell is the birthplace of modern Australia, and this program will be the building block for restor-
ing the site to its beauty. The project at Towra Point will include the removal of nox-
ious weed, replacing it with native vegeta-
tion, the regeneration of the little tern bird population and the regeneration of the beach. Through accredited training, structured work activities and work experience, Green Corps participants will gain improved career and employment prospects. The Towra Point Sustainability Project has 10 participants from the Sutherland shire aged between 17 and 20. The project will provide these recent school leavers with new skills whilst they are in a transitional phase between school and work, whilst at the same time allowing them
to give back something to the community in this very important area.

Port Adelaide Electorate: Port Adelaide Power Best and Fairest Presentation Night

Mr SAWFORD (Port Adelaide) (1.47 p.m.)—On 4 October my wife and I were invited by the Green Brothers Group, a most innovative company in my electorate of Port Adelaide, to the Port Adelaide Power Best and Fairest Presentation. There was an overwhelming endorsement of the football club by the largest attendance ever at a best and fairest presentation. Considering the disappointment again of a failed finals campaign, this augurs particularly well for 2004. However, the highlight of the evening was Gavan Wanganeen winning his first best and fairest award in 13 years of AFL football—the John Cahill Medal. In 13 years of playing in the AFL he surprisingly had never won a best and fairest award. Gavan, of course, had a stellar year and was most unlucky not to have won or shared in a second Brownlow Medal. How he was not best on the ground in the last game of the minor round is a mystery to me. Other awards given on the night were Best First Year Player, Toby Thurstan; Best Team Man, Josh Carr; Most Improved, Warren Tredrea; and Best Finals Player, Brendan Lade. Congratulations are rightly due to all those players and to the team and coaching staff for winning the minor premiership. Everyone knows minor premierships mean very little in the scheme of things. But there is a lot of stoic Scottish history and tradition in Port Adelaide and perhaps the words of Scottish poet Robbie Burns can be an inspiration for 2004: ‘Only the brave can turn defeat into victory.’ Perhaps it is also a message for the Labor Party at the next federal election.

Higher Education: Funding

Mr CADMAN (Mitchell) (1.48 p.m.)—I want to commend the Commonwealth Minister for Education, Science and Training, Dr Brendan Nelson, for the way in which he is helping to solve some of the problems of tertiary education—higher education—in Western Sydney. The University of Western Sydney, over a period of time, has moved away from high-cost courses in agriculture and related areas and has kept the same level of funding. This is unfortunate, but it appears that when you look at these facts the university has taken advantage of its particular position and the courses that it has traditionally conducted. There is an adjustment going on and in three or four years the university will be back on track and will be properly accounting for the true value of courses it is giving. In the meantime negotiations are taking place to make sure that there is no loss of impetus in education in Western Sydney and that the advantage to students of a range of courses is fully covered. The University of Western Sydney has a large student population. Many of the students are focusing on IT skills, and I am delighted to find the expansion in the IT area, the expansion in forensic medicine, the expansion in some of the garden home based and agricultural—(Time expired)

Australian Greens: Policies

Mr ORGAN (Cunningham) (1.50 p.m.)—On yesterday’s ABC Insiders show members of the Australian community were subjected to a tirade against the Greens by various worried parliamentarians and media commentators. None of them got it right, and the abuse, lies and distortions were puerile, juvenile and, in some instances, loopy. The member for Casey, for example, spoke about how the Greens are planning to ban barbecues and force vegetarianism on the Australian community—wrong! We supposedly had crazy plans to legalise all drugs—wrong! The leader of the Democrats said: We’re not so anti-market, anti-business as the Greens.
Once again, that is wrong. You can see that we are very supportive of business and of job creation. Then we had Andrew Bolt of the *Herald-Sun* writing about how the Greens have a so-called ‘fundamentally totalitarian’ kind of creed that is ‘quasi religious’. Once again, these loopy right-wing ideas are sending the wrong message out there about the Greens. The Greens are for democracy in all things—social equity, welfare and all those things that we as Australians are proud of and support. So I think it is about time that some of these crazies out there just stepped back and thought about what they are saying, because obviously they have got it wrong and I do not know what kind of world they are in at the moment.

**Dobell Electorate: Kids Day Out**

Mr TICEHURST (Dobell) (1.51 p.m.)—Yesterday I had the opportunity of attending the third Kids Day Out at the Ourimbah university campus. It was an excellent event, attended by probably thousands of children and their parents. It was run by the Central Coast Community Chest and their chairman, Ron Bell, was the main instigator. Councillor Chris Holstein from Gosford City Council was also one of the very active members. He was MC for most of the day. This event was supported by the local radio station, 2GA, and both Gosford and Wyong shire councils. The *Express Advocate*, one of our local newspapers, were also a major sponsor. Many community groups presented themselves on the day and provided lots of information for families and members of the community. It was a wonderful event. This is the third year it has been run and they are looking at making it even bigger and better next year.

**McManus, Councillor John**

Ms KING (Ballarat) (1.52 p.m.)—I rise to inform the House of the sad passing of Councillor John McManus on Tuesday, 28 October. Councillor McManus had a long, distinguished career representing Napoleons Ward in the Golden Plains Shire. He was a member of the shire council since its amalgamation in 1996 and served as mayor for two years from 1998 to 2000. He fought hard for his area, an area that he lived in all his life. As a teacher in many of our local primary schools, Councillor McManus also gave his time and commitment to educating future generations. His last appointment before his retirement was as principal of the Delacombe Primary School. I had the privilege of presenting a Centenary of Federation medal to Councillor McManus last year—an award he received for his hard work and commitment to community service. Just two days before his passing he was awarded a National Medal for Service for his contribution for 35 years to the local CFA. He leaves behind his wife of 38 years, Gwenda, and his two adult children, Andrew and Joanne. He will be missed by his family, the residents of Napoleons Ward, the CFA community and many children. John was a good man and one we will sadly miss. *(Time expired)*

**Health: Mental Illness**

Ms GRIERSON (Newcastle) (1.53 p.m.)—I wish to place on the public record today the appreciation of the Parliamentary Friends of Dementia for the selfless gesture made by Hazel Hawke AO in publicly disclosing her diagnosis of Alzheimer’s disease. Too often the onset of dementia is seen as something to hide. Living with dementia is a challenge faced by 165,000 Australians and of course shared by their families, loved ones and carers. We applaud Hazel’s ongoing honesty and courage and her ability to think of her fellow Australians, as was always her way as Australia’s first lady. The Parliamentary Friends of Dementia wishes her and her family much happiness and congratulates Hazel and Alzheimer’s Australia on their
joint venture in launching the Hazel Hawke Alzheimer’s Research and Care Fund.

McMillan Electorate: Rocklea Spinning Mills

Mr ZAHRA (McMillan) (1.54 p.m.)—Moe got a bit of a kick in the guts the other day when it was announced that, sadly, Rocklea Spinning Mills was shutting its factory at Moe. The banks have appointed a receiver manager—sadly for workers in Brisbane, Tullamarine and Moe, in my electorate. People there have been advised that it is likely that the company is going to be wound up. I understand that there is an outstanding issue of a Commonwealth government grant of around $850,000 to Rocklea Spinning Mills. I understand that the company has been waiting some months to receive this grant. You have to ask what sort of a scheme the government has in place whereby companies go broke waiting to receive grants from the Commonwealth government.

I want to place on record that it is my very strong view that that $850,000 is money owed to the workers of Rocklea Spinning Mills and that that money should be made available to those workers if there is any issue at all in relation to the ability of that company to meet the entitlements of those workers who have worked so hard for that company for so long. In some cases people have worked at the Moe factory for 25 years. They are people who are on fairly low incomes, who have never involved themselves in industrial action and who have been incredibly flexible in assisting the company, over a number of decades in some cases, to adjust to changed market and international circumstances. I call on the government to provide all information relating to this grant and to indicate as soon as possible whether or not they are going to make the $850,000 available. (Time expired)

Health and Ageing: Policy

Mr BALDWIN (Paterson) (1.56 p.m.)—Today I wish to bring to the attention of the House the failed launch of Labor’s latest rescue package for the medical industry. The Leader of the Opposition and the opposition health minister went to Gosford and gave a great performance about how they are going to have rescue teams of doctors and nurses to go into hospitals to provide hot-spot relief. There is no hospital in Port Stephens. There is no public hospital in the Foster-Tuncurry region. So this money is being spent predominantly in the city areas. The opposition talk about their care for, and commitment to, the bush, yet it seems to stop at Shortland. Shortland is about 40 kilometres away from my electorate, so this policy will deliver absolutely nothing for the people of Paterson. This policy, however, is being funded by the people of Paterson through their taxes. We see that the opposition have their hands buried deep in the pockets of the people of Paterson but they are not prepared to spend a single cent on working out a way of relieving bulk-billing problems in my electorate of Paterson. I think that is a disgrace. I think that the Labor members in the Hunter should have more to say about this health policy that does nothing. Will it provide relief for the people in the member for Hunter’s electorate? No, nor indeed in the member for Newcastle’s electorate. (Time expired)

Australian Film Industry Awards

Mr DANBY (Melbourne Ports) (1.57 p.m.)—At the Australian Film Industry awards the film Gettin’ Square scooped 12 of the 14 awards. Unfortunately, too few Australians have seen this great new Australian film. The performances by Barry Wirth, Gary Sweet and, above all, David Wenham are something that all Australians should treasure. This is a superb film. The cinematographer, Gary Phillips, is in particular owed
great credit, as is the director, Jonathan Teplitzky. The outstanding characteristics of this film are its great sense of humour and its great sense of place. The send-up of the pomposity of some of our criminal justice commissions by David Wenham, who plays a bit of a spaced-out druggie appearing at the Queensland Criminal Justice Commission, is worth seeing just for itself. Unfortunately, this film has been bagged by some of the tabloid journalist reviewers. However, the great film reviewers in Australia, such as Peter Thompson and David Stratton, have given it 4½ stars. All Australians should see this film that has scooped the Australian Film Industry awards before it leaves the big screen.

Family and Community Services: Child Care

Mr DUTTON (Dickson) (1.59 p.m.)—I want to mention the issue of family day care and before and after school care. I want to lend my support to statements reported in the press last week attributed to the Minister for Children and Youth Affairs, Larry Anthony, who has done a tremendous job in this portfolio. In complete contrast to the last eight years of the previous Labor government, the Howard government has provided significant benefits to families of Australia and in particular to those utilising the services of long day care centres. On a number of occasions I have spoken with families in my electorate of Dickson on the very important issue of family day care and before and after school care. I am very glad to say that it would seem that representations made by members on this side of the House to the Minister for Children and Youth Affairs have come to be of some benefit. It is very important that this government continue to assist families in this way. (Time expired)

The SPEAKER—Order! It being 2.00 p.m. the time for members’ statements has expired.

MINISTERIAL ARRANGEMENTS

Mr HOWARD (Bennelong—Prime Minister) (2.00 p.m.)—I inform the House that the Deputy Prime Minister and Minister for Transport and Regional Services is unwell and will be absent from question time today. The Minister for Trade will answer questions on his behalf. I also inform the House that the Minister for Science will be absent from question time today and for the remainder of the week. The minister is representing the government at the Boao Forum for Asia annual conference in China. The Minister for Education, Science and Training will answer questions on his behalf.

QUESTIONS WITHOUT NOTICE

Australian War Memorial: Wreath-Laying Service

Mr EDWARDS (2.00 p.m.)—My question is to the Prime Minister. I refer to what he described as an oversight in not inviting the widow of Sergeant Russell to the wreath-laying service at the War Memorial where a wreath was laid in Sergeant Russell’s honour. How does the Prime Minister respond to the statement made by Mrs Russell in referring to his action, when she said:

… I hope he can live with himself after denying me and my daughter an opportunity to be a part of something we would have remembered forever.

Has this oversight been investigated and can he advise the people of Australia how such an oversight could possibly occur?

Mr HOWARD—I say to the member for Cowan and to the House that I am indeed very upset that the oversight did occur. I want to renew to this House the apology that I have extended in writing to Mrs Russell. I want to take the opportunity of saying that,
whatever the circumstances of it, as the head of government, I accept responsibility as inevitably in these things the head of government must. I also take the opportunity of saying to the honourable gentleman that suggestions made in some newspaper articles—and, indeed, contained in a letter that he wrote to me—that the failure to invite her might have been in some way due to the fact that she had been critical of government policy in relation to benefits for the families of deceased Defence personnel have no substance of any kind—no substance at all. I can only say that I am profoundly sorry that it occurred. I apologise to the lady concerned. It was an inexcusable oversight, and I can assure the honourable member that, whatever the lead-up to it was, it was not malicious. It was a mistake and, as the head of government, I accept responsibility.

National Security: Terrorism

Mr CAMERON THOMPSON (2.03 p.m.)—My question is to the Attorney-General. Would the Attorney-General update the House on action taken relating to the detention and removal of Willie Brigitte? Has the Attorney-General received any advice on whether this matter has highlighted any difficulties with the current legislative regime?

Mr RUDDOCK—I thank the honourable member for Blair for his question. I can confirm that Mr Willie Brigitte was taken into immigration detention on 9 October and was returned to France on 17 October. He was questioned by authorities in Australia before his return and, in relation to the questioning that occurred, he was largely uncooperative. I have seen some claims that this demonstrates some flawed liaison between French and Australian authorities. I want to say firstly that I think this demonstrates very close and effective working relationships between Australia and France.

The point in time at which France first advised us that Mr Brigitte was of interest to them was on 22 September. We subsequently received on 7 October some more pressing advice of their concern about the nature of his presence in Australia, and we were able to deal with the matter within two days. The fact is that the first advice from France was largely of a routine nature, but the expectation that other countries are going to put onto their alert systems, and advise us of, the names of every person who may be the subject of an incidental inquiry by an intelligence agency would, I think, fly in the face of any sensible arrangements that Australia or other countries would be prepared to put in place. If you were going to have arrangements of that sort, they would have to be genuinely reciprocal.

The opposition is arguing at the moment that Australia ought to enter into arrangements with other countries through which the name of any person who is the subject of any inquiry by an intelligence agency is added to a list and circulated to other liaison countries. I suspect that if I ask the opposition for a bill to permit us to advise authorities of any Australian citizen who is the subject of an ASIO inquiry in Australia, simply because somebody reported to an agency that there might be something of interest that they should look at, they would object very vigorously. If you want to test how the opposition would respond to the proposition which they are, in effect, putting here today, you only have to look at the nature of the cooperation that has been offered from the opposition in relation to more substantial issues. The fact is that they have asserted—through the media, I have to say—that the new ASIO powers might have been able to be used in relation to questioning Mr Brigitte before he left Australia. The fact is that they have conveniently overlooked the terms of the bill—

Honourable members interjecting—
Mr RUDDOCK—of the act; I stand corrected—that require the Attorney to be reasonably satisfied in relation to any requests that a person is going to be able to offer substantial assistance with regard to a suspected terrorist activity in Australia. That is the nature of the test. The advice that I have received from the competent agencies is that it is a moot point whether we would have been able to satisfy that test.

Ms Roxon interjecting—

The SPEAKER—The member for Gelligaund!

Mr RUDDOCK—The further point I will make is that, in relation to the assessments that were being made about Mr Brigitte, our agencies quite properly formed the view that, with the power available to the French authorities under French legislation—which enable them to detain him for questioning for perhaps up to two years, with the approval of a judge—and the fact that they had access to more relevant information about his activities, it was preferable that the questioning be undertaken by the French authorities. It was on that basis that he was removed from Australia, and the effort to test the powers that were included in the ASIO legislation was not undertaken in this particular instance.

The only other point I make is that it has become quite clear that if you look at the nature of the powers that we have and the nature of the powers that the French have—and I am not necessarily saying it should be the French standard that should be used, but if you look at it as a question of degree—they have substantially wider powers than our agency has available to it. In relation to the way in which the compromise emerged, it is quite clear that there are other difficulties already apparent in the legislation that we have, and they were of surprise to me. One is that, if you are dealing with people whom you could detain for questioning only for three periods of eight hours and you have to use an interpreter, you effectively have half as much time to pursue your questioning.

Mr Albanese interjecting—

Mr RUDDOCK—The member laughs, but I think that is a significant defect in the nature of the legislation. The legislation, as it is presently drafted, does not permit an organisation to seek to have a person detained because it is believed that he is likely to leave the country. There are other provisions I have read which people might argue could take you to that view, but there is no specific, explicit provision that if a person is likely to leave Australia we would be able to detain them. People say, ‘Why did you vote for it?’ We wanted to get legislation that would enable us to question people of concern about potential terrorist activity in Australia and we had to make compromises in order to get it in place. It is not just second best; it is third and fourth best if you start to look at the range of issues that are emerging where we could have done far better.

Mr Crean—Mr Speaker, I rise on a point of order. In the last answer the minister referred to advice he had received that indicated that it was a moot point as to whether the existing powers were sufficient. I ask the minister to table that advice.

Mr RUDDOCK—It is not the practice to table advice from security organisations but, as the Leader of the Opposition knows, the government regularly makes senior officers available to brief the opposition on these matters.

Mr Crean interjecting—

Mr RUDDOCK—and they do.

Mr Crean interjecting—

The SPEAKER—The Attorney-General will resume his seat. The Leader of the Opposition is aware that the interjections were
quite inappropriate, and that is why I would ask him to resume his seat. The Attorney-General had not completed his answer. He is invited to do so.

Mr Crean—It wasn’t a question.

The SPEAKER—I do not wish to be defied by the Leader of the Opposition. The Attorney-General had not completed his statement to the House about the appropriateness of tabling the resolution. I was inviting him to do so.

Mr RUDDOCK—I made it abundantly clear that advice from agencies is not tabled. In relation to those matters, the Leader of the Opposition is able to access briefings. He has been briefed on this matter. If he required further briefings on the specific issue—

Mr Crean interjecting—

The SPEAKER—I have already spoken to the Leader of the Opposition about his obligations. The Attorney-General has the call.

Mr RUDDOCK—If he required further briefings on this matter in particular he could ask for them.

National Security: Terrorism

Mr McCLELLAND (2.12 p.m.)—My question is also to the Attorney-General, and I refer to his last answer. Can the Attorney-General confirm that the ASIO Legislation Amendment (Terrorism) Act, to which he has referred, includes the following powers: the power to detain a person without charge on the basis that they have information about a potential terrorist offence, the power to renew a seven-day period of detention if new information comes to light, and the power to imprison a person who fails to cooperate with the questioning process for a period of five years? Isn’t it the case that the Attorney-General did not seek to exercise any of those powers in the case of Willie Brigitte yet he is seeking further powers?

Mr RUDDOCK—I have in front of me a copy of the relevant section which deals with the way in which these issues are dealt with. They are not powers reposed in me. There are requests that are forthcoming from a competent organisation. I have already told you that ASIO formed a view that it was a moot point as to whether or not the powers would be available.

You can see quite clearly if you read section 34C(3) of subdivision B, ‘Questioning, detention etc’, dealing with the requesting of a warrant, that the minister—speaking of the Attorney—may by writing consent to the making of a request, but only if the minister is satisfied that there are reasonable grounds for believing that issuing the warrant to be requested will substantially assist in the collection of intelligence that is important in relation to a terrorism offence and that relying on other methods of collecting that intelligence would be ineffective. I think you can see, simply by reading those terms about the nature of the test, that there has to be a judgment that it will substantially assist, it has to be on reasonable grounds and it has to be after satisfying oneself that other intelligence would not be effective in dealing with the issue that you could come to a view. You can see why the authorities have been very effectively constrained by those words. So in the advice that was given to me this is clearly a moot point.

Foreign Affairs: Solomon Islands

Mr LINDSAY (2.16 p.m.)—My question is addressed to the Minister for Foreign Affairs. Given that last Friday marked the 100th day of the Regional Assistance Mission to the Solomon Islands, could the minister inform the House of Australia’s ongoing commitment in helping to bring about peace and stability to the Solomon Islands?

Mr DOWNER—First of all, I thank the honourable member for his question. I think
all members of the House know that his electorate, which includes the city of Townsville, is very much the heart of the military component of the regional assistance mission. The honourable member himself has been very supportive of those Australian Defence Force personnel in the Solomon Islands. Last Friday, 31 October, marked the 100th day of the Regional Assistance Mission to the Solomon Islands being in place. As we have said before, the government is very pleased with the progress that the mission has made. A lot of attention has been focused on the successful law and order component of the mission, and we have seen some tangible results: some 3,700 firearms have been handed in and ex-militants such as Jimmy Rasta and Harold Keke have been arrested, which is obviously a very important step forward. Also arrested were more than 25 Royal Solomon Islands Police members. The 25 Solomon Islands Police members have been arrested on serious charges, including murder, assault and robbery. This is a very important part of the mission—not perhaps so far much publicised—to ensure that the Solomon Islands Police operate more effectively. So successful has been the stabilisation of law and order that at least some of the troops are going to come home.

But RAMSI, as we call the Regional Assistance Mission to the Solomon Islands, is a lot more than just security. We do not think that a bandaid solution to the problems of the Solomon Islands is sufficient. We have to help Solomon Islands rebuild their institutions, their economy and indeed their nation as a whole. Working with RAMSI are financial advisers. They are assisting the Solomon Islands government to put together a credible budget for 2004. RAMSI is also conducting a strategic review of the Solomon Islands Police, in this case in consultation not only with the Solomon Islands government, obviously, but also with civil society.

Finally, let me say that today in Sydney the Australian government is hosting an aid donors meeting which is being attended by delegates from Japan, the European Union, the United States, the World Bank and the Asian Development Bank. Not only will they be briefed by the Special Coordinator of RAMSI, Nick Warner, but we hope that this meeting and a follow-up meeting which is to be held in Honiara on 20 November will encourage much-needed investment to reverse the decline of the past five years. The challenges are still daunting. We appreciate the cooperation with the Solomon Islands government, but importantly we appreciate very much the cooperation with our friends and partners in the Pacific Islands Forum. Representatives from a number of countries in the Pacific Islands Forum are here today in the House of Representatives, including the Prime Minister of Vanuatu. I want to say in front of them how much we appreciate the Regional Assistance Mission to the Solomon Islands being a regional solution to a regional problem.

DISTINGUISHED VISITORS

The SPEAKER—Following the remarks by the Minister for Foreign Affairs, I inform the House that we have present in the gallery this afternoon the Prime Minister of Vanuatu, the Hon. Edward Natapei, and other National Prayer Breakfast 2003 participants, including prominent Australians, former members of the Australian parliament and people from the parliaments of Vanuatu, the Kingdom of Tonga, Samoa, the Solomon Islands, Indonesia, Papua New Guinea, South Korea, Fiji and Australia. On behalf of the House, I extend a very warm welcome to our guests.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

National Security: Terrorism

Mr McCLELLAND (2.20 p.m.)—My question is again to the Attorney-General.
Attorney-General, is it the case that the relevant provisions of section 34C(3) in the ASIO Legislation Amendment (Terrorism) Act to which you have previously referred in your answer were in fact as drafted in the original bill and survived unchanged in the legislation negotiating process?

Mr RUDDOCK—I simply made the point, and I make the point again, that the legislation is clearly inadequate in relation to dealing with the issues that we require. I have asked for a review in relation to those matters. I pointed out where the legislation is presently defective.

Mr Albanese interjecting—

The SPEAKER—I will deal with the member for Grayndler if he persists with his interjections.

Business: Corporate Governance

Mr BAIRD (2.22 p.m.)—My question is addressed to the Treasurer. Would the Treasurer update the House on the investigation by the Australian Securities and Investments Commission into allegations concerning Offset Alpine Printing and certain individuals? What support will the corporate regulator receive to continue to vigorously enforce Australia's corporate laws?

Mr COSTELLO—I thank the honourable member for Cook for his question in relation to this. I can inform the House that on Friday the Australian Securities and Investments Commission announced the establishment of a special team to review reported information concerning Offset Alpine Printing. The investigation will be focusing on the veracity of information previously provided to the commission in the Federal Court in connection with the beneficial ownership of shares. Under section 64 of the ASIC Act it is an offence if a person in the course of an ASIC examination gives information or makes a statement that is false or misleading in a material particular, and that offence carries a penalty of up to two years imprisonment.

The government have increased funding for the Australian Securities and Investments Commission quite substantially over recent years. In the 2002-03 budget, an additional $90 million was provided over four years. In this year’s budget, an additional $12.3 million was provided over four years to assist with enforcement activities on accounting and an additional $12.3 million was provided over four years for corporate insolvency. As I have said on a number of occasions, from this government’s point of view we expect the law to be enforced without fear or favour. We do not believe that the Australian Securities and Investments Commission should give precedence to people because of their position or their connections. We think it is important that all members of the Australian public are subject to prosecution where the corporate regulator believes that to be appropriate.

Members will be aware that there has been a campaign run against the Australian Securities and Investments Commission in this place by the member for Werriwa over a number of years. He has been interjecting in the course of this answer to continue that attack on ASIC and its chairman. He has put that attack in place over a number of years because of his complaint that civil proceedings were brought against, to use his words, ‘the son of a Labor icon’. That was in a speech that he made in this House of Representatives. From the point of view of the government, regardless of who one’s father is—or, indeed, who one’s son is—where there is evidence to bring proceedings, the corporate regulator should do so without fear or favour.

Mr Latham interjecting—

Mr COSTELLO—And the member for Werriwa continues his vendetta against the
Chairman of the Australian Securities and Investments Commission to this day in this House. Corporate regulators need support to bring proceedings to enforce the corporate regulation in this country. They will get that support from this government—without fear or favour—to bring those proceedings. Nobody should jump to any conclusions, because this ought to come into a court of law, but the moment that people in this parliament suggest—as the member for Werriwa has done—that some should be off limits because of blood relations, that will undermine the whole of corporate regulation in this country.

In that context, I want to endorse the words yesterday of Senator Conroy, who apparently can see something that the member for Werriwa cannot. When he was asked by Barrie Cassidy on the Insiders program whether they should ‘let the cards fall where they may’, Senator Conroy—who, I hasten to say, although he does not know a great deal in the area, knows a great deal more than the member for Werriwa—said:

ASIC have done a good job, David Knott has done a good job over recent years in not being prepared to look at reputations. He’s been prepared to apply the law as he’s seen it and pursue anybody, no matter how high profile, in doing his job.

Well said, Senator Conroy—a repudiation of the member for Werriwa!

National Security: Terrorism

Mr RUDD (2.27 p.m.)—My question is to the Attorney-General. I refer to the statement attributed to Gilles Leclair, controller-general of France’s main-counter terrorism unit, the UCLAT, that French intelligence had ‘worked on the Brigitte case for some years’ and that ‘he—Brigitte—was on our national database’. Given that it is now more than two years since September 11 and more than one year since Bali, will the Attorney-General inform the parliament what action the government has taken during this period to obtain access to the French national terrorism database to prevent al-Qaeda suspects in France from being issued with tourism visas to Australia as the Howard government has just done in the Brigitte case?

Mr RUDDOCK—It is not the case that countries have at any time routinely exchanged their full databases in relation to people of potential concern—that has never been the case. It is not the case that Australia shares information with other countries about every Australian who has ever come to the attention of ASIO—that is not the case. And if you think it is the case that countries ought to adopt a standard whereby every person who has ever come to the attention of a security agency ought to be advised to other countries with a view to prohibiting or limiting their access to travel, let us see whether you are prepared to do it—let us see whether that is what you are going to advocate—because the implications are very significant.

The situation is that in relation to this matter we received advice from France on 22 September initially drawing to our attention that they had an interest in Mr Brigitte and that they thought he might have come to Australia. We received further advice on 7 October that he was a person of significant concern to them. That was the time at which it was raised with us as a matter of some importance. Thereafter, within two days, the person had been located, taken into immigration detention, questioned and, on 17 October, removed. I think it is a demonstrable success of cooperation—an undoubted success.

Mr Rudd—Mr Speaker, I rise on a point of order. The point of order is on relevance. The question was about what happened in May, not what happened in—
Mr Ruddock—Yes, Mr Speaker.

Business: Corporate Governance

Mr Causley—My question is directed to the Treasurer. Following his last answer, would the Treasurer inform the House of steps the Australian government is taking to combat the use of bank secrecy in offshore locations to avoid illicit activities?

Mr Costello—I thank the honourable member for Page for his question. I can inform the House that the Australian government has taken a number of steps to try to pierce the veil of bank secrecy which is sometimes used in offshore locations for illicit activities. In April 2000, in my capacity as the Chairman of the OECD that year, I brought to the council a report called Improving access to bank information for tax purposes. This was an attempt to get agreement between OECD countries to allow cooperation where there was reasonable cause and identification of sums concerned. The OECD members unanimously agreed to that report, including a recommendation to lift bank secrecy for civil matters by 31 December 2005, and to adopt a common definition of ‘tax fraud’ which would provide the key to the lifting of that secrecy. I have unfortunately to report to the House that on 16 September this year four countries, led by Switzerland, vetoed those recommendations.

I raised this matter at the APEC finance ministers meeting in Bangkok on 6 September 2002 and it received agreement from those countries that were there to continue with the project. The weekend before last I raised the subject again in Morelia in Mexico, at the G20 finance ministers meeting. There was broad agreement around the table at that meeting of 20 finance ministers and central bankers that diplomatic efforts should continue to try to bring those countries which are not cooperating with the OECD project into an agreement and that, having achieved an agreement amongst the OECD, that the provisions would then be applied to non-OECD members that are suspect to allowing illicit activities or can be used as tax havens or indeed worse.

I make this point: banker secrecy cannot only be used for tax purposes or indeed corporate purposes; it could possibly be used for the financing of criminal activity, including terrorist activity. Australia is willing to exchange information on tax matters where requested by competent authorities with due cause to do so. We believe that the OECD recommendations represent the best way of taking this matter forward. We call on all countries, including Switzerland, to join that project and to accept that common definition. We believe that all countries have an interest in allowing the exchange between competent authorities, where there is prima facie evidence on the basis of reasonable cause, to enforce corporate laws in tax matters and indeed to crack down on the financing of illegal activities.

Mr Cox—Would the Treasurer table the document to which he just referred?

The Speaker—Was the Treasurer reading from notes?

Mr Costello—No.

Medicare: Bulk-Billing

Ms Gillard—My question is to the Minister for Health and Ageing. Can the minister confirm that a breakdown of the bulk-billing rates and the cost of GP services by electorate and by rural and regional classification for June 2003, requested almost two months ago, has not yet been released? Is the minister aware that the office of his representative in the Senate, Senator Ian Campbell, has confirmed that the statistics have been prepared and ready for release for

CHAMBER
some time? Why is the government hiding these bulk-billing figures?

Mr ABBOTT—I thank the member for Lalor for her question. I am not aware that there has been any untoward hold-up. I will look into the matter. I can assure the House that the statistics will be appropriately released in due course.

National Security: Terrorism

Mr SOMLYAY (2.36 p.m.)—My question is to the Attorney-General. Would the Attorney-General please advise the House of action taken by the government to list terrorist organisations of concern to Australia? Would the Attorney-General further advise the House—

Honourable members interjecting—

The SPEAKER—Order! I invite the member for Fairfax to repeat the latter part of his question; I could not hear it.

Mr Albanese interjecting—

The SPEAKER—I warn the member for Grayndler!

Mr SOMLYAY—Would the Attorney-General further advise the House if there is any impediment to the government’s responding quickly?

Mr RUDDOCK—I thank the honourable member for Fairfax for his question, because it is demonstrably clear that our present arrangements for listing terrorist organisations are not in Australia’s interests. The government take our responsibilities for protecting Australians very seriously and we are committed to ensuring that every possibly measure is taken to deal with terrorist threats. While we have been able to move to list 14 terrorist organisations, we have been constrained in our ability even to consider listing a number of other organisations that we are advised represent a potential threat.

The current requirement that the terrorist organisation be identified by the United Nations Security Council before it can be listed prevents quick and independent action to deal with threats to Australians and Australia’s interests as they arise. If you want to look for examples, they are not too hard to find: one is Lashkar-e-Taiba—LET—and Hamas is another which has not only been raised on this side of the House but has been raised by members opposite, as I have observed from time to time. They are just two examples of organisations that we would consider listing but we cannot because the United Nations Security Council has not listed them. The fact is that while—

Mr Kerr interjecting—

The SPEAKER—The minister will not respond to interjections. The member for Denison is out of order.

Mr RUDDOCK—The fact is that a number of countries, notwithstanding the inability of the United Nations Security Council to get around to it, have listed these two organisations—those countries include the European Union, the United Kingdom and the United States of America. Quite frankly, we believe that we should not be held hostage to the United Nations in relation to these matters; we believe it is a question of our sovereignty, the integrity of Australia—

Mr Wilkie interjecting—

Mr RUDDOCK—yes—that should be able to determine what is in Australia’s interests and how those issues should be dealt with. It is for that reason that we have a bill before the parliament at this stage. It has already been through this chamber; it is in the Senate. It does require the consent of the states because it involves legislation for which certain undertakings were given to the states to agree to further changes. The Prime Minister has written to the state premiers advising them of the advice that we have received in relation to Lashkar-e-Taiba, because we have had advice that it is an organi-
sation of potential concern. He has also ad-
vised them about the concerns that we as a
government have about Hamas and he has
sought their support for the bill. We believe
that the proposals in that bill clearly safe-
guard Australia’s interests. They are stronger;
they are at least the equivalent of those in the
United States, the United Kingdom and Can-
da. We believe that the premiers and chief
ministers, if they will set aside party politics
and cooperate in relation to this matter, can
support measures that are clearly in the Aus-
tralian interest, in the national interest, and
ought to be enacted as soon as possible.

National Security: Terrorism

Mr CREAN (2.40 p.m.)—My question is
to the Attorney-General and it follows his
last answer and his claim that he needs in-
creased powers to proscribe the terrorist or-
ganisation Lashkar-e-Taiba. Has the gov-
ernment made application to the United Na-
tions Security Council for the al-Qaeda
linked organisation Lashkar-e-Taiba to be
listed as a terrorist organisation? Has the
government requested the opposition for
specific legislation as it did in the listing of
Hezbollah? If not—if it has done neither—
on what basis does the government claim
that its existing powers are inadequate when
it has made no attempt to use the powers that
it already has to address this security threat?

Mr Wilkie—Come on—

The SPEAKER—Member for Swan!

Mr RUDDOCK—I made it abundantly
clear that we do not believe that we should
be captive to some other organisation every
time we want to list an organisation that our
intelligence organisations tell us presents a
real threat to the security of Australia and the
region. That is the point we make. We do not
think we should have to go—

Mr Crean—Mr Speaker, I rise on a point
of order on relevance: my question was very
specific. Has he sought—
terterrorism, would the minister inform the House of how many terrorist related organisations or individuals have been listed? Of those listed, how many have had their assets frozen in Australia? What other action is the government taking internationally to combat terrorism?

Mr DOWNER—First of all, I thank the honourable member for Dobell for his question and compliment him on the excellent job he is doing as the member for Dobell. The government has implemented a range of different measures to combat terrorism, including, importantly, to prevent funds from Australia being used for terrorist groups or terrorist acts. In my capacity as the Minister for Foreign Affairs, I have listed under Australian law some 470 individuals and organisations for their links to terrorist acts. In my capacity as the Minister for Foreign Affairs, I have listed under Australian law some 470 individuals and organisations for their links to terrorist acts. Actually, since there has been some discussion about an organisation which is variously described as Lashkar-e-Taiba—and other possible variants of that name are used from time to time—I point out to the House that it was listed by me on 20 March 2002.

These listings make it a criminal offence for persons to hold assets that are owned or controlled by the organisations or individuals listed within Australia, and that is punishable by up to five years imprisonment. This is part of the obligations that the Australian government has under Security Council resolutions to freeze funds and other financial assets, but of course this is not the same thing that the Attorney-General has been talking about as proscribing organisations, as terrorist groups, for the purposes of the Criminal Code.

This can only be done under existing legislation in Australia if those organisations are listed by the United Nations, and a consensus decision at the United Nations Security Council under Security Council resolution 1267—a consensus decision by what is called the 1267 committee—is needed for a listing to take place. There is a further qualification, which is quite an important qualification, that that listing will not take place unless that organisation is associated with the Taliban or al-Qaeda to the satisfaction of all of the members of the committee. So that explains why Hamas, an organisation which I would have thought was unequivocally a terrorist organisation—and Hezbollah is another example, and we have legislated against it here—has not been proscribed here: because it has not been listed by the United Nations committee. It has not been listed by a United Nations committee because of the failure to get consensus on that.

Exactly the same argument applies in relation to Lashkar-e-Taiba. If you cannot get a consensus in the United Nations, no matter what we think in this parliament or no matter what we think in this country, according to the legislation that the Labor Party has allowed through the Senate we are not able to proscribe that organisation. So organisations can be manifestly terrorist organisations but not be on the UN list. Lashkar-e-Taiba, which has not elicited any questions from the opposition in the 7½ years I have been a minister but is an organisation which focuses on the Kashmir crisis—in other words, it is essentially a Kashmiri-oriented terrorist organisation—is not on the UN list, and that is hardly surprising because of the qualifications that apply to the 1267 committee. So the Australian government, on behalf of the Australian people, obviously is limited in terms of its capacity to ensure that organisations which are manifestly terrorist organisations are proscribed in this country. The only alternative path to choose is the path of legislation through the parliament.

The government has been working very hard where we have the legal authority to do so, and in particular in terms of taking measures to ban any financing of terrorist orga-
sations, where we have greater scope. In that particular context, as I said, Lashkar-e-Taiba was listed quite some time ago. But this is all part of the strong pattern of opposition by this government to terrorism and terrorist organisations. That is illustrated, if I may say so, by the fact that the Indonesian Foreign Minister and I will be co-hosting a regional summit on counter-terrorism in February next year.

**Taxation: Compliance**

Mr LATHAM (2.49 p.m.)—My question is to the Treasurer. Does the Treasurer recall repeatedly telling the House, most recently on 19 August, that the tax office has achieved a compliance dividend from the introduction of the GST and a crackdown on the black economy? Why then has the tax office told the *Australian* newspaper, as reported today:

… there are no documents indicating the impact (the) GST has had on cutting the size of the black economy.

Why has the Treasurer made false claims about the impact of the GST on the black economy, and will he now correct the record and apologise to the House?

Mr COSTELLO—As has been frequently acknowledged, the introduction of the GST has given the tax office additional mechanisms with which to track income tax avoidance. That is because under the GST system every business has to have an Australian business number and both suppliers and sellers have to report in order to get input tax credits. I would have thought that now that the Labor Party support the GST—

*Honourable members interjecting—*

The SPEAKER—The Treasurer has the call.

Mr COSTELLO—they would not be continuing their campaign. I paused a moment then just to clarify what the proposition was. The tax office has now indicated that revenue outcomes consistent with the estimated additional income tax collection of $2.6 billion have come about. The Australian National Audit Office said in a recent report:

The ATO strategy to address the cash economy is consistent with those of comparable countries. It offers a wide-ranging approach in dealing with the cash economy.

In fact, the collections themselves would show that there has been enormous success, I would have thought, in picking up additional revenue—

Mr Tanner—Highest taxing government ever.

Mr COSTELLO—On cue, they come in. When you do pick up the black economy and collect tax, the Labor Party complains that too much tax is being collected, as the member for Melbourne just did. As the tax office and the ANAO have indicated, the GST system, the Australian business number and the cross-matching have given additional revenue. If the Labor Party believes that the ABN or the GST system should be rolled back, we would be willing to hear it.

**Thailand: Free Trade Agreement**

Mrs DRAPER (2.52 p.m.)—My question is addressed to the Minister for Trade. Would the minister inform the House of a recent announcement of the conclusion of negotiations for a free trade agreement with Thailand? What will this agreement mean for jobs in the Australian automotive sector?

Mr VAILE—I would like to thank the member for Makin for her question and acknowledge her keen interest in the auto sector, particularly in South Australia. It is well known now that, a fortnight ago, we concluded negotiations with the Thai government with regard to a free trade agreement between Australia and Thailand, in a meeting that took place between the Prime Minister and Prime Minister Thaksin Shinawatra in
Bangkok. The last remaining issues were resolved to put in place what is a comprehensive and very balanced agreement between Australia and Thailand. Interestingly, it will clearly benefit the Australian auto sector and the Australian wine industry. Both industries are very important to the state of the member for Makin and, indeed, your state, Mr Speaker, in terms of the access that we will get into that market.

Thailand is a country of 61 million people. We currently have a two-way trade with them of about $7.25 billion a year. That will be significantly enhanced as a result of this agreement. It will be of particular interest to the member for Makin that, in the area of the auto sector, the agreement allows for the immediate elimination of tariffs on exports from Australia to Thailand of automobiles with engine capacities above three litres. It also allows for elimination of tariffs on export of vehicles in the commercial vehicle fleet into Thailand. It allows for a significant reduction in the tariff on vehicles that have engine capacities less than three litres. In fact, it is a reduction of a tariff of 80 per cent to a tariff of 30 per cent. So, obviously, this is going to secure the jobs of many Australian auto workers. Indeed, in the future, it will prospectively create many more jobs as we are able to penetrate that market.

That point has been borne out by a couple of public comments that have been made recently. One is by the president of Holden Australia, Peter Hanenburger, who said:

I think it’s fantastic and shows particularly the vision that government has.

He has also said:

The reduction of these tariffs will offer opportunities for Holden and other Australian car makers and help to build our critical mass of production to protect Australian jobs.

The other comment came from the Australian Labor Party, and it was very welcome.

The opposition spokesman for trade, Senator Conroy, said:

Labor welcomes this free trade agreement with Thailand.

It will be of significant benefit to many Australian industries, including cars ... We welcome that comment from the Australian Labor Party. We certainly look forward to their support in the implementation of this very important agreement and as we negotiate with the United States of America.

**Taxation: Compliance**

Mr LATHAM (2.55 p.m.)—My question is again to the Treasurer. I refer the Treasurer to his earlier answer; in particular, to his claim that the Australian National Audit Office has confirmed a GST compliance dividend—extra revenue collected from the black economy—a claim the Treasurer has repeatedly made in the House: on 12 March and 12 December 2002, and again on 19 August this year. Treasurer, isn’t this claim false? In fact, the Audit Office, in this report, concluded:

It is too early to measure the outcomes of tax reform on the cash economy.

It also said, ‘there is no independently verifiable method for determining the accuracy’ of the tax office estimates. Will the Treasurer now fulfil his obligations under the ministerial code of conduct to correct the parliamentary record and apologise for misleading the House?

Mr COSTELLO—Despite valiant efforts to try and besmirch the reputation of the tax commissioner, the tax commissioner has consistently found a compliance dividend—and I tabled a media release on 19 August 2003—of $3.5 billion over three years of additional tax estimated to be raised as a result of the new tax system. In addition to that, I have the Cash Economy Task Force report media release No. 3 of 1991.
Dr Emerson—1991?

Mr COSTELLO—Yes, 03/91. No. 91 of 2003.

Dr Emerson—You just said 1991.

The SPEAKER—The member for Rankin is warned!

Mr COSTELLO—I will say it again. I have the cash Economy Task Force report media release 03/91—that is, No. 91 of 2003. It says:

A Cash Economy Task Force report has found the new tax system is impacting significantly on the cash economy, producing a more robust tax system that is harder to evade…

The report states:

‘The design features of the reformed tax system are working together to produce a more robust tax system that is harder to evade…’

The report lists the following indicators of the positive impact of the new tax system:

• More that $135 million has been withheld from businesses that did not quote a valid Australian Business Number—

Mr Latham—Mr Speaker, I raise a point of order. The point of order goes to relevance. The question was about the Audit Office report—

The SPEAKER—The member for Werriwa will resume his seat. The Treasurer’s answer is entirely relevant.

Mr COSTELLO—The Cash Economy Task Force report media release of 23 September 2001 is directly on this point. I will continue. The report goes on:

• More businesses than expected have registered for an ABN, with tens of thousands of businesses previously outside the tax system now drawn into the tax net. The Tax Office has already raised about $50 million in back-dated taxes.

At the third dot point, it says:

Revenue outcomes are consistent with the expected compliance dividend from the new tax system to June 2003 of $2.6 billion being achieved.

At the fourth dot point—this is September 2003—

Honourable members interjecting—

Mr COSTELLO—No, again I say 2003.

The SPEAKER—The Treasurer will ignore the interjections.

Mr COSTELLO—It is media release No. 91 of 2003. The Cash Economy Task Force report media release, at the third dot point, says:

Revenue outcomes are consistent with the expected compliance dividend from the new tax system to June 2003 of $2.6 billion being achieved.

The fourth dot point states:

A survey of small business and public practice Certified Practising Accountants found 81 per cent of CPAs considered their clients’ bookkeeping procedures had improved under the new tax system and 68 per cent saw improvement in invoicing procedures.

This is the Cash Economy Task Force report, as recently as 23 June. The task force includes—

Mr Latham—The tax office.

Mr COSTELLO—Not just the Australian Taxation Office. It includes academics, small business operators, tax practitioners, representatives from the building and construction and retailing industries, microbusinesses and home based businesses, ACOSS, as well as senior staff from the tax office, Centrelink, AUSTRAC and the states and territories. The tax commissioner has reported it—the Cash Economy Task Force has reported it—and I would say that the collections endorse it. Notwithstanding all of Labor’s claims that the GST would fail or would not be effective, the evidence is in: Australia’s economy is as strong as it has been in recent years. If you wanted any greater endorsement of the new taxation sys-
the fact is that, after opposing it hook line and sinker, the Labor Party now supports it.

Workplace Relations: Building Industry

Mr PEARCE (3.01 p.m.)—My question is addressed to the Minister for Employment and Workplace Relations. Will the minister inform the House of any developments in the vital building and construction industry?

Mr ANDREWS—I thank the member for Aston for his question. I can inform him and the House that the Melbourne Magistrates Court today found a senior CFMEU official guilty of threatening or intimidating an employee of a major construction company because that employee had proposed to give evidence in another matter before the Australian Industrial Relations Commission. This successful prosecution is one of nine matters that the interim building industry task force has pursued and that are before various courts around the country. It is the first on which a verdict has been reached. It confirms the need for the reform of the building and construction industry. The Cole royal commission presented a compelling case for reform, and today’s judgment in the Melbourne Magistrates Court adds further weight to that.

The problems in the building and construction industry mean fewer jobs and lower standards of living for all Australians. That is why this government is committed to reform of that industry. Reform equals more jobs and higher standards of living. This sector of the economy is worth some $40 billion. It is a $40 billion industry employing some 700,000 Australians, yet this sector has Australia’s worst record of industrial disputes; it has seven times the number of strikes of all other industries in Australia. Indeed, the Cole royal commission found that improving the industry’s workplace practices would boost Australia’s economy by some $2.3 billion a year. At the core of what Mr Justice Cole found in his commission’s report was an industry that is characterised by lawlessness, by illegal and improper payments, by chronic failure to honour legally binding agreements, by regular flouting of court and Industrial Relations Commission orders and by a culture of coercion and intimidation.

The interim building industry task force, which was established after the royal commission, has, as I said, nine matters before Australian courts—six involving union officials and three involving employers. The government is committed to reform. I will shortly be introducing legislation into this House to reform the building and construction industry. The question now for the Labor Party is whether it is prepared to support this legislation and whether it is prepared to support the government and do away with lawlessness in the building and construction industry. Will the Labor Party support the legislation which the government will shortly bring in, or will it show once again that it is simply a captive of an unrepresentative vested minority group—namely, the big union bosses in Australia?

Taxation: Compliance

Mr LATHAM (3.05 p.m.)—My question is to the Treasurer. Why has the Treasurer failed to correct the record concerning his misrepresentation of the Audit Office and its report on the GST compliance dividend from the black economy? Has the Treasurer seen this letter from the Audit Office, dated 4 September 2003, which states:

Our report was tabled in March 2002. At that time, it was too early to measure the outcomes of tax reform on the cash economy. Therefore, at the time of the audit, we were not in a position to comment on whether the compliance dividend had been met or even partially met.

Given that the Audit Office’s view could not be clearer—that it has not confirmed a com-
pliance dividend from the black economy—will the Treasurer now correct the parliamentary record and apologise for repeatedly misleading the House—on 12 March and 12 December last year, 19 August this year and again earlier in question time today?

Mr COSTELLO—I now have the Hansard record of 19 August 2003. The Hansard record will show that this is what I said:

The tax commissioner—and I table this media release—says that the ANAO has found a:

... compliance dividend of $3.5 billion over three years of additional tax estimated to be raised as a result of the New Tax System ...

It is tabled. The transcript is tabled on 19 August 2003. But there was a misrepresentation that day, and getting the Hansard reminded me of it.

Government member—It is always instructive.

Mr COSTELLO—It is always instructive to get the Hansard of the day. That was the day when the member for Werriwa made a claim about the black economy. He claimed that a figure was given by the tax commissioner that the black economy is 15 per cent. I have just been reminded that the reason why I tabled the transcript that day was that the transcript came out with the tax commissioner on The World Today saying this—seeing as we are in the business of misrepresentation—

Mr Latham—Mr Speaker, I raise a point of order on relevance. It is a serious matter when a minister misleads the House. The Treasurer has been asked a question about the Audit Office and his misrepresentation of their report from March 2002. The question is not about any other matter; it is about his misrepresentation, his misleading of the House, and he should be brought back to the question.

Mrs Bronwyn Bishop—Mr Speaker, on the point of order: the member for Werriwa knows full well that he cannot make a statement that a minister is misleading the House other than by a substantive motion, and he should simply be ruled out of order.

The SPEAKER—The chair is well aware of the fact—and I suspect so is the member for Werriwa and all members of the House—that any suggestion of deliberately misleading the House would be out of order. I did not hear the member for Werriwa make that comment, and I allowed the Treasurer to continue his response because he was dealing with the matter of the figures from the Audit Office and he was relevant.

Mr COSTELLO—In fact, I was asked about what I said in the House on 19 August, and I tabled the transcript and I quoted the tax commissioner. That transcript will be in the records of the House somewhere. Since we are on the question of misrepresentation and misleading the House, it has brought back to my memory why I actually tabled the transcript of the tax commissioner that day—that is, the tax commissioner had to go on The World Today. In the transcript which I tabled, he said:

... it has been claimed by Mr Latham that I have confirmed a figure of the black economy of 15 per cent of GDP. I've done no such thing.

People who are interested in misleading and misrepresentation in this House should not be throwing their stones in glass houses. That is why that came up on 19 August: the tax commissioner had to go out on the airwaves that day because he had been misrepresented and the House had been subsequently misled. I tabled his transcript. His transcript said that the ANAO had found a compliance dividend of $3.5 billion over three years of additional tax estimated to be raised as a result of the new tax system. I also had a lot to say about cracking down on the black economy in the taxi industry, but I will leave that aside for present purposes.
Mr Latham—I seek leave to table the letter from the Audit Office dated 4 September 2003, rebutting and contradicting the claim of the Treasurer about their report.

Leave granted.

Education: HECS Contributions

Mr CADMAN (3.11 p.m.)—My question is addressed to the Minister for Education, Science and Training. Would the minister inform the House of any recent academic work examining whether the Higher Education Contribution Scheme deters poorer students from studying at university? Is the minister aware of other comments or statements in this area?

Dr NELSON—I thank the member for Mitchell for his question and his very strong support for the modernisation of Australian universities, the expansion of places and the increased money for those 38 publicly funded universities. In 1989, to its great credit, the Australian Labor Party then in government introduced the Higher Education Contribution Scheme, otherwise known as HECS. One of its principal architects was Professor Bruce Chapman, who is the professor of economics and social policy at the Australian National University.

There was widespread opposition at the time to the introduction of HECS. Those who argued stridently against it said that it would reduce participation in Australian higher education by low-income families. It was further said that it would effectively destroy the future of higher education. The truth is that, after 14 years since the introduction of HECS, to which the Australian taxpayer contributes three-quarters of the public funds that go to universities and the students then as graduates pay a quarter back through the tax system, the size of Australian university participation has almost doubled and the proportion of Australians who hold a university degree has also doubled from nine per cent to almost 19 per cent.

Recently a lot has been said, particularly by the Australian Labor Party, about proposed changes to HECS. The Australian Vice-Chancellors Committee commissioned Professor Chapman, who is also a former adviser to former Prime Minister Paul Keating, to examine all of the research that has been done in relation to the impact of HECS. Professor Chapman’s report, which was released by the Australian Vice-Chancellors Committee on 17 October this year, says a number of things which are very important and which I encourage Australian families, in particular, to read. For example, on page 13 of the report he says:

... HECS has not deterred students from less privileged backgrounds from attending university.

He also says:

... the introduction of HECS did not affect the access of the disadvantaged, in terms of enrolments.

In relation to changes that the government introduced to HECS in 1997, when we went to a three-tiered system where dentists, doctors, lawyers and vets paid the most for their HECS contributions and those in arts, humanities and social sciences the least, the report says:

... neither the introduction of higher and differential HECS nor the lowering of the income repayment threshold after 1997 affected the share of low socioeconomic status individuals among total higher education students.

This government is proposing a number of changes for Australian universities which mean in total $10½ billion of extra public investment in universities over the first 10 years. But one of the changes argued for by all of the vice-chancellors which the government has accepted is that universities for the first time will set the HECS charge from zero to a level which is a maximum 30 per
cent above the current HECS levels, with no change at all for teachers and nurses. In this regard in particular, this report is very important because Professor Chapman and Dr Ryan say:

... we do not expect HECS-HELP—these are the changes proposed by this government—to adversely affect the socioeconomic composition of enrolments in Australian universities.

In other words, the experts who have reviewed all of the research, who are quite dispassionate in their analysis of all of this, have said that these changes will have no adverse impact on participation in Australian higher education.

I am asked about other policies. The Australian Labor Party has said in its own policy, three-quarters of which it adopted from the government’s, that it proposes to reduce the HECS contributions by students in science and mathematics. That is 80,000 students in Australian universities. That is 14 per cent of all the students in the sector. The Labor Party costed that, by the way, at $43.6 million. The department of finance has costed it at $262 million. In other words, there is a black hole in Labor’s economic analysis of $218 million—and of course the Labor Party front-bench laughs while the member for Werriwa sits there stern faced because he at least knows this is accurate and that he will have to take notice of the department of finance if he ever gets hold of the taxpayers’ cheque-book. But, interestingly for the Labor Party, Professor Chapman, in relation to this particular measure, says:

... the ALP proposes moving mathematics and science courses from band 2 and band 1.

In other words, they would be reducing the contribution. He says:

While this will significantly reduce the cost for maths and science students, it is not expected that there will be important effects on higher education demand in these areas.

So there is the Australian taxpayer presented with a Labor Party policy which is under-funded to the tune of $218 million, not according to this government but according to the department of finance. Worse still, any dispassionate analysis of it, which has been done by the vice-chancellors, finds that it will actually have no impact whatsoever on higher education outcomes. Mr Speaker, I seek leave to table the report produced by Professor Chapman.

The SPEAKER—The minister does not need leave.

Dr NELSON—I table that and I also table the media release from the Australian vice-chancellors.

Family Services: Family Payments

Mr SWAN (3.17 p.m.)—My question without notice is directed to the Minister for Children and Youth Affairs. Minister, can you confirm the figures contained in the Department of Family and Community Services 2002-03 annual report which show the government spent $1 billion less on family tax benefit and child-care benefit last financial year than it originally budgeted? Minister, why has the government spent less on Australian families than it promised? Minister, what accounts for this black hole?

Mr ANTHONY—I would like to thank the member for Lilley for his question. We do not often get questions from him these days and, before I answer his question, I would just like to say that it is of course this particular government that has a very keen interest in the welfare of Australian families. That is why we introduced the family tax benefit in 2000, and at that time an extra $2 billion went to those two million families supporting 3½ million children. Indeed, when you look at the average payment now of family tax benefit, for family tax benefit...
part A it is $4,714—that is the average payment per family—and for family tax benefit part B it is $1,963. So we are looking at about $6,700 as the average payment now for those families receiving either family tax benefit part B or family tax benefit part A, not to mention the unprecedented amount that we hand out in child care.

The member did ask the question: are these payments slightly lower? I think that one of the successes of the Howard-Anderson government is that more people today are in employment and real wages have increased dramatically by 16 per cent since the time we came into office, from 1996 through to today.

Mr Swan—What about the billion dollars?

The SPEAKER—The member for Lilley has asked his question!

Mr ANTHONY—What is happening, Member for Lilley, is that we are seeing more people earning more today because of the fine economic stewardship of this government—more jobs—

Mr Swan—It’s $1 billion less. It’s more than you anticipated—a lot more!

The SPEAKER—Order! Member for Lilley!

Mr Swan interjecting—

Mr ANTHONY—Absolutely—we agree—and what we are seeing is that income rates have gone up and, because our family tax benefit is means tested, as average wages increase then of course the amount they receive in family tax benefit slightly goes down. There is nothing hidden about that. We have got a proud record when it comes to servicing families and creating jobs.

Education: Bullying

Ms GAMBARO (3.20 p.m.)—My question is addressed to the Minister for Education, Science and Training. Would the minister outline to the House what action the Australian government is taking to combat bullying in schools?

Dr NELSON—I thank the member for Petrie for her very strong commitment to the protection of children in schools and especially for disseminating the Humpybong state school antibullying booklet. There are many things that, as parents, we want from education for our children but perhaps none more so than to be able to send our children to a school in which we feel that our children are safe. The extent to which we are committed to protecting the transition of our children through childhood and adolescence to adulthood is one of the critical measures of a caring society. Bullying in Australian schools might once have been trivialised by some people, but this government takes it extremely seriously. Last year one in six children was bullied on a weekly basis. Almost half of Australia’s schoolchildren were bullied at least once throughout last year. We also know that boys are twice as likely to be engaged in bullying than are girls and we also know, sadly, that children who are bullied are more likely to suffer from stress, to have absences from school, to have lower academic performance and, sadly, at the extreme end there is increased drug use and completed suicide, which is two to three times higher.

This government takes these measures very seriously. There are a number of things that this government is now doing to see that our children are protected in schools. Firstly, the government has taken the lead in developing the National Safe Schools Framework, with the support of the Australian Democrats, to which all of the state and territory governments have now agreed. It will be a requirement when the legislation is introduced next year for the next four years of Australian government funding for schools
that every school in this country—government schools and non-government schools—have a systematic plan established and readily available to parents to show how they propose to recognise, prevent and deal with bullying. The government is investing $4½ million in specific measures to assist in the prevention and management of bullying. It includes $3 million in the first two years for the professional development and training of teachers to make sure that they are well across the appropriate way to deal with bullying in school.

One million dollars will be invested in specific programs to evaluate the effectiveness of any initiatives that are undertaken. This is obviously an emotive area, but we want to make sure also that money and effort that are invested in this area actually deliver the outcomes that we need. Three hundred thousand dollars is being invested with the Australian Principals Professional Development Council, and a resource kit will be delivered to every school in Australia in relation to advising them how best to deal with bullying. The government are also investing $200,000 in the Bullying. No Way! web site, which is currently attracting 500 visits a day. As I announced last year, the government are also strongly committed to supporting and expanding programs for values in schools, because in the end, as talented as we want our children to be, it is character that really pays off.

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

The SPEAKER—Before members choose to leave the House, can I indicate to them that I would like to make a short statement concerning events surrounding the visits of President George W. Bush and President Hu Jintao on 23 and 24 October 2003, I wish to provide the House with my perspective on these events. The House should be aware that on 8 October 2003 the Prime Minister wrote to me advising of the proposed visits and expressing the government’s view:

To continue a fitting and dignified convention for honouring guests of special significance, President Bush and President Hu should be invited to address members of both houses of parliament in a formal session in the House of Representatives chamber.

A similar letter was sent to the President of the Senate. I will deal firstly with the visit of President George W. Bush on 23 October 2003. The House, on 8 October 2003, agreed to a government motion that the House invite President George W. Bush to attend and address the House on 23 October 2003, that it invite the Senate to meet with the House in this chamber for that purpose and that at the meeting of the two houses for this purpose:
(a) the Speaker shall preside at the meeting;
(b) the only proceedings shall be welcoming remarks by the Prime Minister and the Leader of the Opposition and an address by the President of the United States of America, after which the Speaker shall forthwith adjourn the House and declare the meeting concluded; and
(c) the procedures of the House shall apply to the meeting so far as they are applicable ...

The resolution was identical to resolutions of the House in respect of the 1992 visit by President George Bush Sr and the 1996 visit by President Clinton.

The Senate was advised of this resolution by message, which also requested Senate concurrence with its terms and that it take action accordingly. On 9 October 2003 the Senate passed a resolution to the effect that the Senate invite President Bush to address the Senate on 23 October 2003, that the Senate accept the invitation of the House to meet with the House for that purpose and that the Senate ‘concurs in the provisions of the resolution of the House relating to the conduct of that meeting’. Accordingly, as members will recall, members of the House and Senate assembled in this chamber at 11.15 a.m. on 23 October 2003 and I took the chair in accordance with the resolution agreed by both chambers.

During President Bush’s address, as recorded in the proof Votes and Proceedings, at 11.30 a.m. Senator Brown was ordered under standing order 304A to withdraw from the House for one hour for continuing to interject. He refused to withdraw and ignored the Serjeant-at-Arms’ direction, on my instruction, to leave the chamber. At 11.48 a.m. Senator Nettle was ordered to withdraw for continuing to interject. She also refused to withdraw and ignored the Serjeant-at-Arms’ direction. Members may be unaware that at the same time as the senators’ disorderly behaviour, a guest in the southern gallery rose and began to interject. He was immediately removed from the gallery under the arrangements I had authorised previously. I was subsequently advised that this person was a guest of one of the Greens.

After President Bush left the chamber, I named both senators for continuing to defy the chair. In accordance with House practice and procedure, which I remind the House both chambers had agreed would apply, the Leader of the House moved for the suspension of the two senators. This question was put and, as recorded in the proof Votes and Proceedings, was passed by members and senators present. This is not recorded in the proof Journals of the Senate for 23 October 2003. In accordance with House practice, I called the vote on the voices as being in the affirmative. I did not hear any request for a division and at 11.55 a.m. senators Brown and Nettle were suspended for 24 hours under standing order 305. There was no dissent from my ruling.

Later that day I wrote to the President of the Senate confirming the motion endorsed by members and senators present. I advised the President of the provisions of standing order 307, which had the effect of excluding Senator Brown and Senator Nettle from the chamber, all its galleries and any room where the Main Committee was meeting, and that this suspension was for 24 hours from 11.55 a.m. on 23 October 2003. I asked the President to convey this advice to Senators Brown and Nettle, and I table a copy of my letter to the President.

Also on 23 October 2003, the President and I wrote jointly to the Serjeant-at-Arms and the Usher of the Black Rod to confirm the suspension of the senators, to authorise them and officers under their direction to enforce the suspension and to confirm that the senators were not permitted to approach the House of Representatives through the glass link ways and were not permitted to
enter the chamber galleries for the period of the suspension. I table a copy of the letter to the Serjeant and the Black Rod by the President and me.

There are two other matters relating to President Bush’s visit which I wish to address. Members will be aware that television film coverage of Senators Brown and Nettle in the chamber began appearing nationally and internationally shortly after events in the chamber. This unauthorised footage was taken from the northern gallery by an as yet unidentified US media operator and against my specific and repeated direction that such filming was not permitted. Investigation of this matter is not yet complete but preliminary assessments indicate that, notwithstanding my repeated refusal of requests from the Americans to permit coverage in addition to the nine parliamentary cameras, a camera was brought into the northern gallery and used. I understand that security attendants who saw the camera made the incorrect assumption that it had been authorised.

The other matter relates to events at the rear of the chamber as President Bush was departing. I did not see these events directly as the House had not yet adjourned. I have seen some film coverage of them and would simply make the observation that in the face of the refusal of Senators Brown and Nettle to obey the chair and their clear intention to approach President Bush with some vigour during his movement from the chamber, certain members, senators and chamber staff attempted to secure a clear route for the President.

I turn now to events surrounding the visit of President Hu Jintao on 24 October 2003. There has been some public commentary on the placement of guests of the Greens party members in the enclosed second floor gallery. The fact of the matter is that, having sole responsibility for the management of the House galleries, I made a deliberate decision on Thursday, 23 October 2003, following the unacceptable behaviour of the Greens senators in the chamber and one of their guests in the gallery that day, to ensure that guests of the Greens were unable to interrupt proceedings during the visit of President Hu. I directed that the Greens guests be seated with other overflow guests from the open galleries in the enclosed galleries. I am advised that guests of members and senators from all sides of politics, including guests of ministers, were also seated in the enclosed galleries as part of the overflow from the open galleries. There were approximately 30 people seated in the enclosed galleries. As a result of administrative confusion and divided responsibilities between the visits task force and House staff, it was regrettable that simultaneous translation facilities were not provided in the enclosed galleries. For this, I apologise.

In the days preceding President Hu’s visit, the Chinese ambassador expressed to me on several occasions his concern that people may seek to attend President Hu’s address using invitations not issued in their names. He strongly urged me to require photographic identification. I declined to do so on the basis that the requirement for photographic identification was not made known in advance to prospective guests and that to require it without notice may prove difficult for guests, particularly children. I assured the ambassador that I would direct that all possible steps be taken to ensure the integrity of the galleries. To further ease the ambassador’s concern, I suggested that I would permit several of his embassy staff to assist House staff in identifying people who may not have been the persons for whom invitations were issued. Photographic identification of people so identified would then be requested. I am advised that this process did
It has also been publicly asserted that the Chinese foreign minister asked me to remove guests of members or senators from the open galleries. As I have already advised the House, I had decided the day before that guests of the Greens would be seated in the enclosed galleries to prevent any repetition of the unacceptable behaviour during President Bush’s visit to the parliament. The Chinese foreign minister did arrive at the entrance to the House of Representatives wing in advance of President Hu on Friday, 24 October 2003. He spoke with me and the President of the Senate. I assured him that all appropriate steps had been taken to enable President Hu to be received with the dignity and courtesy appropriate to a visiting head of state. President Hu arrived shortly thereafter and, as members will recall, his address to the House took place without incident. As any objective reporter would have noted, the short time lapse between the arrival of the Chinese foreign minister and the subsequent arrival of the President of China would have made it impossible for people to have been moved into or out of the galleries before President Hu arrived.

Finally, I wish to commend all the parliamentary staff, security personnel and staff of the visits task force for their outstanding contribution in securing the success of the visits by President Bush and President Hu to the parliament. I particularly thank the chamber staff and members of the Parliamentary Security Service. Under unprecedented circumstances and in the face of some difficulties, they executed their duties magnificently.

QUESTIONS TO THE SPEAKER
Addresses by the President of the United States of America and President of the People’s Republic of China

Mr ORGAN (3.36 p.m.)—I have a question to you, Mr Speaker, following on from your comments. You referred to giving due dignity and courtesy to President Hu Jintao. Why did you not inform me and my Senate colleagues of your decision to exclude our guests from the gallery on Thursday and give them, as Australian citizens, due dignity and courtesy in regard to the opportunity to actually come and sit in the gallery? We are talking about two Buddhist members of the Tibetan community in Australia. We are talking about Mr Chin Jin, a member of the Federation for a Democratic China. I have subsequently spoken to those people and there was no way in which there was going to be any disturbances within this House by those people. I think that courtesy should have been shown to our guests, who are Australian citizens. There was a distinct lack of courtesy shown on behalf of the government towards these ordinary Australians. I ask for an explanation as to why I and my Senate colleagues were not informed of your decision.

The SPEAKER—I have already indicated to the member for Cunningham that, as I said in my statement, I do regret the fact that there were guests in the glass galleries—not only his guests but also guests of members of both sides of the House and guests of ministers. I have indicated to the member for Cunningham that in the case of his guests—and if any other members approach me I will provide exactly the same service—I am very happy to write to his guests indicating my regret that they were unable to receive the translation. I will make no other comment because all that needs to be said was enclosed in my statement.
Addresses by the President of the United States of America and the President of the People’s Republic of China

Mr FITZGIBBON (3.38 p.m.)—If I may, I have a question to you, Mr Speaker, with regard to your ongoing investigation into how the rogue camera gained access to the chamber on that date. Are you prepared to give the House an update on your investigations? Further, are you prepared to make inquiries as to whether the attendant in question based his false assumption on the fact that the holder of the camera was in the company of an employee of the Prime Minister’s office or indeed the Prime Minister’s department?

The SPEAKER—I indicate to the member for Hunter that I will take whatever steps are necessary to discover how the camera got into the gallery. I have already met with the officer from the Prime Minister’s office responsible for the camera crews which were in the gallery and I have spoken to him. I understand the pressure that was on the security staff at the time and how they may well not have appreciated that the camera was in fact being used illegally, but I do not intend to be frustrated in any way in my investigations of this matter. Furthermore, I have a meeting this afternoon with press gallery officials in order to further pursue the matter. The House will be informed as appropriate.

Addresses by the President of the United States of America and the President of the People’s Republic of China

Mr DANBY (3.40 p.m.)—Mr Speaker, with regard to your explanation that was given previously, while many of us would share your concerns about the discourtesy that might have been shown to the Chinese President on the basis of the behaviour the day before, is there any precedent to your decision to allow representatives of an embassy to provide security in this House?

The SPEAKER—I inform the member for Melbourne Ports that there was no precedent to the actions that occurred in the House on the previous day.

Addresses by the President of the United States of America and the President of the People’s Republic of China

Mr PRICE (3.41 p.m.)—Mr Speaker, I have a question to you. I appreciate the security provisions that were necessary surrounding President Bush’s visit, but I had great difficulty getting into parliament. I did not get here thanks to a security officer. It is my understanding that I am not the only one who was delayed and detained in this way. Could I seek your assurance that steps will be taken to ensure that, no matter who is addressing the House, members of parliament will be freely able to attend the chamber?

The SPEAKER—Let me reassure the member for Chifley that it was the absolute wish not only of the Presiding Officers but also of the parliament that everyone should have free and easy access. The Chief Opposition Whip, I understand, also had difficulty accessing the parliament. Wherever it was possible for my office to intervene in order to improve the access, it did so. I regret that the member for Chifley was inconvenienced. He would understand that these were extraordinary circumstances.

Addresses by the President of the United States of America and the President of the People’s Republic of China

Mr ORGAN (3.42 p.m.)—Mr Speaker, what specific instructions did the chamber attendants receive prior to President Bush’s visit to allow them to pull on the jacket of Senator Kerry Nettle and to not allow her to gain access to the President of the United States? Were the attendants given instructions similar to the use of preventable force on members of the House and senators—similar to those instructions given to keep
Senators Brown and Nettle from the chamber on Friday? In other words, were the attendants given specific instructions prior to President Bush’s visit to manhandle a member of this place?

The SPEAKER—Member for Cunningham, the only reason I am delaying my reply is that I cannot reply until you have resumed your seat. Let me reassure the member for Cunningham that of course no such instruction was given to attendants. I have spoken to the attendant who, in the instance the member for Cunningham refers to, appeared on the camera. Let me also indicate to the member for Cunningham that the same camera shot shows a Senate attendant, who has indicated to the President that she was in fact fearful of being pushed into the path of the President by the throng of members behind her. That was part of what caused the confusion at the time. I do not intend to take any further action. I have responded as comprehensively as I can in my statement.

Addresses by the President of the United States of America and the President of the People’s Republic of China

Mr MARTIN FERGUSON (3.43 p.m.)—My question goes to the visit by the President of the United States and a rumour suggesting that representatives of the US government were permitted to bring firearms into Parliament House. Is there any truth to this rumour?

The SPEAKER—It is one of these extraordinary situations where, rather like the one involving the member for Cunningham, I find myself sitting here waiting for the member for Batman to resume his seat so I can respond to him. Let me indicate to the member for Batman that the arrangements for firearms in this House were entirely consistent with the arrangements that were recommended by the security advisory group and were consistent with what has been done on other occasions.

Mr MARTIN FERGUSON—Further to your answer to my question, I would like to know the details of what those arrangements were. My understanding was that, on previous visits by the US President to the Australian parliament, requests for the bringing of firearms into Parliament House were refused by this parliament.

The SPEAKER—Let me indicate to the member for Batman that whatever was done in this instance was done entirely on advice.

Mr Leo McLeay—It was not the same as the first time and you know it!

The SPEAKER—I warn the member for Watson!

Addresses by the President of the United States of America and the President of the People’s Republic of China

Mr FITZGIBBON (3.45 p.m.)—I thank you for your generous and comprehensive answer to my earlier question. Can I ask that, when you report back to the House on the issue, you include in that report the name and the role of the individual concerned—that is, the individual from the Prime Minister’s office or the Department of PM&C, the person accompanying the person carrying the camera.

The SPEAKER—I have an obligation at least to clarify the record. There has been absolutely no evidence brought to my attention at any time or in any interview I have had with anybody that anyone from the Prime Minister’s office accompanied any camera into the House, I will follow the matter up. This is the final time I will recognise the member for Cunningham. I will put a comprehensive statement to the House for its perusal.
Addresses by the President of the United States of America and the President of the People’s Republic of China

Mr ORGAN (3.46 p.m.)—Thank you, Mr Speaker. According to the President of the Senate in committee this morning, you are undertaking an inquiry into the assault on Senator Nettle. Could you please inform the House of the details of that inquiry or any related inquiry you are holding into the events of 23 and 24 October in this place? Also, will members of the House have any avenue by which to address questions to you concerning the events, other than the present circumstances or in writing?

The SPEAKER—I have made a statement to the House. I do not intend to make any further statements to the House unless new material is made available to me. May I correct the record. I find myself in the position of some ministers at the dispatch box. Apparently in response to one answer I said that I had spoken to someone from the Prime Minister’s office. I should have said I had spoken to someone from the Prime Minister’s department.

Questions on Notice

Mr MURPHY (3.47 p.m.)—Mr Speaker, on 18 August, question No. 2277 to the Treasurer, question No. 2278 to the Minister representing the Minister for Communications, Information Technology and the Arts and question No. 2281 to the Attorney-General first appeared on the Notice Paper in my name. On 19 August 2003, question No. 2297 to the Treasurer, question No. 2298 to the Minister representing the Minister for Finance and Administration and question No. 2299 to the Minister for Transport and Regional Services also appeared on the Notice Paper in my name on the first occasion. It is now more than 60 days since those questions first appeared on the Notice Paper, and I would be grateful if you would write to those ministers under standing order 150 and seek reasons for the delay in replying to those questions.

The SPEAKER—I will follow up the matter raised by the member for Lowe as standing order 150 provides.

PETITIONS

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

Medicare: Bulk-Billing

To the Honourable Speaker and Members of the House of Representatives assembled in parliament:
The petition of certain citizens of Australia draws to the attention of the House:
• That the rate of bulk billing by GPs has fallen by over 15% in Shortland Electorate since 2000 and is now in serious decline;
• That this year, 7.7 million fewer GP visits were bulk billed than in 1996;
• That the average out-of-pocket cost to see a GP who does not bulk bill has gone up by 51% since 1996.
• 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 so that all Australians have access to the health care they need.

by Ms Hall (from 236 citizens)

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by Ms Hall (from 236 citizens)
Medicare: Bulk-Billing

To the Honourable Speaker and Members of the House of Representatives assembled in parliament:
The petition of certain citizens of Australia draws to the attention of the House:
The need to keep bulk-billing for families on the North West Coast and King Island in Tasmania. We therefore request that the House takes urgent steps to restore bulk billing by general practitioners and reject John Howard’s plan to end universal bulk billing.

by Mr Jenkins (from 119 citizens)

Health and Ageing: Aged Care

To the Honourable the Speaker and Members of the House of Representatives assembled in parliament:
We the undersigned, concerned citizens of Australia, draw to the attention of the House the dire need to address current issues in Residential Aged Care resulting from insufficient funding and the lack of accountability for how that funding is distributed. Nurses fear that as a result of the above, they will not be able to continue to provide quality care to our frail aged in Aged Care facilities. Our senior citizens deserve to be cared for by appropriately qualified nurses.
Your petitioners therefore request the urgent attention of the House to review current funding arrangements to allow appropriate nursing hours that will ensure quality care to these residents, and will ensure parity of wages for nurses working in either the public or aged care sector.

by Mr Andren (from 902 citizens)

Australian Broadcasting Corporation: Funding

To the Honourable the Speaker and Members of the House of Representatives assembled in parliament:
The petition of certain residents of the State of Queensland, specifically parents, staff and students of schools on the Gold Coast, draws to the attention of the House their concern with the proposed cancellation of the ABC television program, “Behind the News” due to budget cuts.
We acknowledge the media release of the Minister for Communications, Information Technology and the Arts of August 5 2003, which states that the ABC has the freedom to make the cuts where its Board sees fit. We believe strongly that this program has been an integral part of the development of young Australians with a strong knowledge of world issues for over 34 years.
Your petitioners therefore pray that the House enters discussions with the Minister and encourages him to negotiate with the ABC to rethink its planned cancellation of this icon of Australian education.

by Mr Ciobo (from 510 citizens)

Environment: Plastic Bag Levy

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:
We the undersigned citizens of Australia, call on the Parliament of Australia to:
• Recognise the severe environment damage caused by the 6.4 billion plastic bags used in Australia annually;
• Appreciate the success of the new plastic bag levy in reducing the usage of plastic bags, introduced in Ireland in 2002

We, the undersigned petitioners, therefore request the House to introduce a similar plastic bags levy in Australia, in order to reduce plastic bag usage and create a recurrent fund for environmental projects.

by Mr Danby (from 181 citizens)
Medicare: Bulk-Billing

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

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

We the undersigned object to the Federal Government’s proposed changes to Medicare that will:

- Deny bulk-billing for around 4.3 million people in NSW;
- Increase the cost of basic health care for middle Australia;
- Place further pressure on our public hospital system;

Medical treatment and the safeguarding of our children’s health should be a right not an expense.

We therefore pray that the House reverses their decision and considers the Carr Government plan to save bulk billing and protect Medicare.

by Mr Laurie Ferguson (from 18 citizens)

Goods and Services Tax: Funerals

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

The petition of certain citizens of Australia draws to the attention of the House that a majority of Australians voted against the introduction of a Goods and Services Tax (GST). We believe a GST on funerals and all associated services is an unfair tax on death.

Your petitioners strongly request the removal of a GST on funerals and associated services.

by Ms Hall (from 13 citizens)

Roads: F3 to Sydney Orbital Link

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

We refer to the proposed construction of the F3 to Sydney Orbital Link Road, in particular the option described as the Red option. We, the petitioners, wish to bring to the attention of the House:

1. That the proposed Red Option will adversely affect the amenity of the Community through, in particular, tunnelling exhaust stack emissions.
2. That the Red Option serves only to reduce traffic levels on Pennant Hills Road, does not follow traffic desire lines and has a poor cost/benefit ratio.

We request that the House;

Remove the Red Option from the current route options.

by Dr Nelson (from 20 citizens)

Textile, Clothing and Footwear Industry: Tariffs

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

The petition of the undersigned citizens shows that if TCF tariffs are further reduced after 2005, the Australian TCF industry will suffer further job losses and closures which adversely affect the Australian economy and society.

Your petitioners request that the Parliament should agree to freeze the tariffs at their current levels until it is proven that any reduction is in the interests of Australian workers. Tariff should remain frozen until our major trading partners reduce their tariff and non-tariff barriers to Australia’s levels.

by Mr Sidebottom (from 2,415 citizens)

Centrelink: Offices

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: We the undersigned object to the Federal Government’s proposal to merge the Fitzroy and Richmond Centrelink offices that will:

- Cause hardship to significant numbers of Centrelink clients.
- Disadvantage many people with disabilities who have transport difficulties.
- Discourage people from pursuing legitimate welfare entitlements.

We therefore pray that the House reverses their decision and considers the Federal Opposition’s
call to protect the Fitzroy and Richmond Centrelink offices.

by Mr Tanner (from 162 citizens)

Health and Ageing: Funding

The House of Representatives,
Federal Parliament of Australia,
Parliament House,
Canberra. ACT. 2600.

Dear Parliamentary Representatives,

We, the undersigned petitioners, being citizens of Australia, wish to express our concern at the current inadequate level of aged care funding which is being made available to provide residential aged care. The recent funding increase of just 1.01% for Victorian aged care facilities will not cover increasing costs, with wages having just increased by at least 4% for most of those facilities. This inadequate funding increase seriously threatens the viability of aged care providers and is putting the provision of aged care within our communities at risk. We ask that you increase aged care funding as a matter of urgency.

by Mr Zahra (from 115 citizens)

Petitions received.

PRIVATE MEMBERS’ BUSINESS

Transport and Urban Development

Mr PRICE (Chifley) (3.49 p.m.)—I move:

That this House:

(1) understands that Australians want decisions made on the basis of good policy and what is best for communities, not what suits the electoral pendulum;
(2) affirms the need for an integrated approach to transport and urban development policy to tackle issues associated with the growth of our major cities;
(3) recognises that cities need integrated transport and urban development policies involving all tiers of government and the community in the decision making process;
(4) accepts that Labor has led the way on these important issues with the announcement of an integrated transport plan for Sydney; and

(5) recognises that:

(a) Labor will not build an airport at Badgery's Creek, nor will Labor sell the Sydney Basin airports in a cash grab that ignores community and aviation industry views;
(b) Labor understands that the growth ambitions of Sydney Airport are not acceptable and that a second Sydney airport is required; and
(c) Badgery's Creek remains the Coalition’s preferred site choice for a second Sydney airport.

This is a very important motion because it goes to honesty and integrity in decision making and the development of good public policy. It calls for an integrated approach to urban transport and urban development issues. It recognises that one cannot look at just one particular mode of transport; one needs to think holistically in terms of rail, road and air transport in the development of transport. I particularly want to read point (5) of the motion, which asks that the House recognise:

(a) Labor will not build an airport at Badgery's Creek, nor will Labor sell the Sydney Basin airports in a cash grab that ignores community and aviation industry views;
(b) Labor understands that the growth ambitions of Sydney Airport are not acceptable and that a second Sydney airport is required; and
(c) Badgery's Creek remains the Coalition’s preferred site choice for a second Sydney airport.

Accompanied, I might say, by the honourable member for Greenway and the honourable member for Fowler and others, in July Simon Crean at the Mount Druitt workers club—and I know that might be offensive to some coalition members but it is a great club with good membership—on that Sunday announced that Badgerys Creek was dead as far as Labor were concerned. We will not build
Badgerys Creek, and that is a clear difference between the coalition and Labor. It is true to say that in the *Mount Druitt St Mary’s Star*, the member for Lindsay, Jackie Kelly, said:

I think people have total confidence in me. Over the last eight years I have never changed my mind on Badgerys Creek. My record is solid.

Well, that is a fair statement, I guess. But the problem is that Jackie has not changed the mind of anyone else in the coalition. Be under no illusion. Joe Hockey, the Minister for Small Business and Tourism, in a very courageous speech to the House on 20 August said:

The second point in relation to Sydney airport is that this government is committed to a second airport in Sydney.

This is the coalition! He went on:

Existing government policy is to commit to a second airport ... at Badgerys Creek—

the coalition are committed to Badgerys Creek—

with a review in 2005. That is the policy that we have had for the last two elections. That is the commitment that we have made, and that is our existing policy. It is a commitment to a second airport in the Sydney basin at Badgerys Creek, with a review of the need ... in 2005. That is the policy that we have had since the 1996 election, and it is entirely consistent with the fact that we legislated the cap of 80 movements per hour at Sydney airport, that we legislated the curfew at Sydney airport and that, through legislation, we ensured that regional aircraft will be able to access Sydney airport.

That is a clear, unambiguous statement by, I might say, an acting cabinet minister at the time. And all I say is this: Labor in Western Sydney have made our position utterly clear on Badgerys Creek—we will not build it! And the member for Macarthur, the member for Mitchell, the member for Lindsay and the member for Parramatta—these are the Western Sydney Liberal members—ought to be honest with the people of Western Sydney, just as Mr Hockey, the minister, has been honest with the people in this parliament, and say that the coalition is committed to building the airport. None of those members nor Jackie Kelly can change the coalition’s mind. Their policy, by hook or by crook, is to build Badgerys Creek. If you want an airport in Western Sydney then you vote for one of the Liberal federal members in Western Sydney, but if you do not want an airport in Western Sydney—if you think Western Sydney should not have an airport—you have one clear choice come the next election: vote for a Labor person, because we will kill it stone dead.

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

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

**Mr BARTLETT** *(Macquarie)* *(3.54 p.m.)*—As a consistent and unequivocal opponent of the prospect of an airport at Badgerys Creek, I am grateful to the honourable member for the opportunity to say a few words on this to again restate my opposition to an airport at Badgerys Creek. I find myself agreeing with at least one part of the honourable member’s motion—the first part—which says:

... understands that Australians want decisions made on the basis of good policy and what is best for communities, not what suits the electoral pendulum ... 

So I thought I would go back and check out the consistency of the member for Chifley in terms of what his comments about Badgerys Creek have been at different stages in the electoral pendulum. There has been a veritable goldmine of comments by the member for Chifley, and we could spend all day reading these. I thought I would remind the House of a few of those comments. On 31 May 1995 the member for Chifley said:
As far as western Sydney is concerned, I am delighted with the initiatives of the government in proposing that we should have an international airport at Badgerys Creek.

Again on 31 May 1995, the member for Chifley said:

I do not apologise for advocating an airport—
at Badgerys Creek. He went on:

... the people of western Sydney ... are excited about the fact that jobs will be created. The airport will have a catalytic effect in the western suburbs of Sydney.

You are right there, Member for Chifley: it would have had a catalytic effect! On 18 October 1995 the member for Chifley said:

... I believe, to take up seriously the issue of the construction of a major airport at Badgerys Creek—something that I have been seeking for a long time.

And on we go. In June 1994 the member for Chifley spoke of the decision about Badgerys Creek. He said:

... the magnificence of the decision by the government and by the minister—
the then member for Kingsford-Smith. On the same day the member for Chifley said:

... this airport may very well be privately owned and run. I do not give a damn who owns it or who runs it, as long as it is in vicious competition with Kingsford Smith airport ...

These are all the gems from the member for Chifley regardless of the electoral pendulum—just based, I would imagine, on good policy. And then we have many of his colleagues reinforcing him in that. I will quote one from a couple of years ago. The member for Werriwa, again giving great credit to the member for Chifley, said on 28 March 2001:

I can remember WESROC convening meetings where my friend and colleague the member for Chifley would come along and advocate the construction of Sydney's second international airport at Badgerys Creek. Some people regard him as the father of the proposal—the person who put it on the agenda in a substantial way in Western Sydney ...

Well, we must wonder then what his commitment is to not responding to the electoral pendulum. There has been no consistency— it is absolute hypocrisy. Member for Chifley, while I respect a lot of your work in the electorate, I am afraid you do not have a leg to stand on on this particular issue. We have seen many others from the other side—the member for Grayndler, the member for Kingsford-Smith, the member for Watson, the member for Barton, the member for Lowe, the member for Werriwa and the member for Blaxland—all advocating strongly an international airport at Badgerys Creek. Are we to expect that somehow, suddenly, the Labor leopard has changed its spots? It would like to pretend that it has, but the evidence is clearly to the contrary. The message is clearly that Labor says one thing in opposition and does something to the contrary in government. Do not listen to what it says in opposition; look at what it did in government.

The other question is this: if Labor are canning the idea of Badgerys Creek, where are they going to put it? The bell has been rung on this one with ALP policy statement 071 in July this year and the Leader of the Opposition raising the possibility of Richmond as a site for another airport. I can make this very clear. I have news for the Leader of the Opposition: my constituents—constituents of Hawkesbury and the Blue Mountains—will not allow the Leader of the Opposition and the Labor Party to transfer their plans for Badgerys Creek from Badgerys Creek to Richmond for some cheap political gain dictated by the electoral pendulum.

(Time expired)

Mrs IRWIN (Fowler) (4.00 p.m.)—The member for Macquarie comes into the House and tells us what Labor and the member for Chifley have done in the past in relation to
Badgerys Creek airport. But what he will not do is give a commitment that a Liberal government will never ever build Badgerys Creek. Instead, the Liberals want to give us Badgerys Creek on the never-never plan: they might build it one day but they do not know when. When you look at transport planning or the need for an integrated approach to transport and urban development, the last place to go would be to this government. When it comes to planning, this government has a golden rule. And what is that golden rule? Never make a decision today that you can put off until tomorrow. The one thing about this government that you can depend on is that it will avoid making decisions at any cost.

Transport and urban development must be planned if we are to avoid the problems associated with the growth of our major cities. It requires looking ahead for decades at the impact on growth and planning now to meet those needs. But while this government thinks that it can put off until tomorrow what it should be doing today, businesses, government agencies and ordinary people need to plan their future with some degree of certainty. And there is no better example of this government’s failure to commit to a plan than the tale of Badgerys Creek airport.

Who could forget—I am sure that the member for Chifley will remember this—when this government came to office in 1996 the Prime Minister declared that, instead of Badgerys Creek, the government would consider putting Sydney’s second airport at Holsworthy. That is the kind of decision making that this government is famous for. But in planning for transport, especially for airport needs, it is essential that we have some degree of certainty. Airports have a major effect on the health, safety and lifestyle of residents in large surrounding areas.

Planners need to know well in advance where airports will be sited in order to avoid the kinds of impacts that airports like Kingsford Smith have on nearby residents. And you cannot make major changes to existing airports like Bankstown without affecting people who have lived with low-level impact but who now face the prospect of jet aircraft operations over their homes. But that is what the member for Macquarie has been pushing for. Let us go back to August 1999, when the member for Macquarie told the parliament:

... the consultancy report points out ... that better development of Bankstown airport, just a few kilometres away from Kingsford Smith, can help relieve some ... capacity problems.

And in November 1999 the member for Macquarie told the House:

We need to work on more effectively using the resources that we have got—using Kingsford Smith more effectively.

... ... ...

Moving some of the regional and lighter planes out to Bankstown...

But that is not what the member for Macquarie wants in his own backyard. It is quite obvious that he does not want it in his own backyard. When it comes to Richmond air base, he told the House in August this year that Labor wanted to turn Richmond into a noisy commercial airport and put airport noise into seats they do not care about. The member for Macquarie is happy to dump commercial operations onto Bankstown but he will not have them in his own backyard. And he will not agree with Labor’s policy to move the second airport out of the Sydney basin altogether. Only the member for Lindsay wants to do that, and she came out with the harebrained idea—does the member for Chifley remember her harebrained idea?—of building the second airport on pylons in the Pacific Ocean.
The member for Macarthur sees no need for a second airport for 30 years, and then it will not be close to Sydney. But the time to plan for our transport and urban development needs is now. If we are to avoid what happened with Badgerys Creek we need to plan for our airport needs now. We cannot keep putting off the hard decisions the way this government does. (Time expired)

Mrs Irwin interjecting—

The DEPUTY SPEAKER (Mr Jenkins)—Order! The honourable member for Fowler will resume her seat.

Mr CADMAN (Mitchell) (4.05 p.m.)—After first being promoted by the member for Chifley, Badgerys Creek is now off the agenda. Everything else is on the agenda, subject to an environmental impact statement, including the air base at Richmond. Labor’s integrated transport policy, which you must be familiar with, Mr Deputy Speaker Jenkins, contains the heading ‘A potential new role for Richmond airport’. The document states:

Labor believes Richmond Airport could play a larger role in addressing Sydney’s general aviation needs and possibly other aviation operations. There it is—it’s the Labor Party’s policy. They want Richmond. They have canned Badgerys Creek and they are going for Richmond. In a media release on 28 July the member for Chifley said:

Labor has lost 5 seats in Western Sydney and this decision—

That is, to can Badgerys—

is essential in the fight to win them back.

That is what it is all about—it is a political statement. But what is the policy? On the one hand it seems to be Richmond but on the other hand it seems to be saying, ‘Anywhere but Badgerys Creek, subject to an EIS.’ Isn’t that a compelling argument to go to an election with? Won’t that convince people in Western Sydney that you are half serious? ‘We are going to have anywhere but Badgerys but we are going to have an EIS first.’ What does that mean? You’re going to have an EIS on Badgerys and put it straight back at Badgerys immediately after the election.

Mr Price—Get the policy changed.

Mrs Irwin—Sell Badgerys Creek.

Mr CADMAN—Of course you could; that’s the next change of mind. It is a seasonal thing, you see. About 1992, propose Badgerys; about 2002, reject Badgerys; and about 2012 put Badgerys back on the agenda again. Of course that is the proposal. I am very interested in what Anthony Albanese said. He said:

What I say is, if we’re going to have a consensus about removing Badgerys Creek site from our platform, what we need to do is to not have a ‘Where’s Wally’ approach to the airport. We need to identify a site as our preferred site; say we’ll support it subject to an EIS.

So we are going to have a ‘Where’s Wally’ sort of exercise—that is what Anthony is saying—that is all over the place. You have ruled out Badgerys but you have ruled in Goulburn, Williamtown, Canberra, Wilton, Galston, Richmond, Holsworthy and Somersby—you have got the lot—and you are going to have an airport somewhere on those sites, subject to an EIS. That is wonderful politics. That is just going to frighten the whole population of Sydney. Previously you worried only the people in Western Sydney; now you are going to worry the lot of them. I do not think that is a very sensible policy. I know that if you lived in Western Sydney, Mr Deputy Speaker Jenkins, you would be part of it, but I know that you are not; you are against it. So the ‘yous’ I have used are not referring to you—if you understand what I mean.
This is the confusion of the Labor Party on this issue. In 1996 Cheryl Kernot, in a press release, said:

... further steps in the environmental assessment process had to occur before the Government made a final decision and the Opposition was not going to pre-empt or circumvent that process. “There is a process in place,” she said, “and we have always said we will not jump in before that process is completed.”

There you are—looking at the EIS: no decision for five years, six years, seven years, and suddenly you are going to can Badgerys on no grounds whatsoever, except it is politically expedient. You have said it is politically expedient—that is what you are going to do. The policy was also enunciated by Kim Beazley at the same time when Kim, in 1996, was saying that he was all for Badgerys Creek. What does Mark Latham say? This is a bit of coat-trailing if ever I have seen it. When Mark Latham, who is from Western Sydney, wanted to make remarks about the opposition’s decision not to go ahead with Badgerys, the member for Werriwa, who has been a keen promoter of the Badgerys Creek site, said:

If the Howard Government had kept its promise it would be open today. You’d be taking flights out of Badgerys Creek. But they broke their promise and in the Labor Party we can’t allow the uncertainty to go on.

What is that? That is a ‘me too’ statement. The member for Werriwa is saying that he wished the Howard government had made a decision to go ahead with Badgerys, he regrets that it has not, and now he agrees that the Labor Party has no choice but to agree with the government. (Time expired)

Mr MOSSFIELD (Greenway) (4.10 p.m.)—It gives me a great deal of pleasure to speak to the private members motion moved by my colleague the member for Chifley. It draws attention to the need for forward planning for integrated transport and urban policies in all our major cities—no more so than in Western Sydney, which is one of the fastest growing regions in Australia. In recent years in Western Sydney we have seen new suburbs springing up with poor public transport links. In the electorate of Greenway we have seen new suburbs in the north-west sector, with most commuters having to drive or take a bus to rail connections on the Richmond line—to Blacktown station and Seven Hills station—and linking up with the rail commuters from Penrith and the Blue Mountains.

There is a huge disparity in the number of trains that travel from the CBD to the Richmond line compared with the Penrith line, despite the rapidly growing population on the north-western corridor. There has been no serious attempt to redirect the public transport clientele through the Hills district into the CBD, other than by road transport. It is quite clear that these areas have large enough populations to support a fixed rail form of transport. Even at this late stage of urban development a medium-gauge rail system, as operates in the Perth metropolitan area, could run adjacent to some of our major road networks, like the M2 and the under construction M7. As a long-time advocate of the construction of the Western Sydney Orbital—or, as it is now known, the M7—I am delighted to see extensive construction work being carried out on this project. This construction, however, is causing considerable inconvenience to local residents in the form of air and noise pollution and traffic congestion, again highlighting the need for the major road projects to be carried out prior to residential development. That of course takes foresight and planning—two skills the Liberal government seems to lack.

The Western Sydney Orbital will, after construction is complete, of course prove to be extremely beneficial to the Western Sydney region. That is why business groups and
local residents have been calling for its construction for over 20 years. I have made numerous speeches in this place explaining the benefits that the Western Sydney Orbital will have on the region. Industries want to be closer to good road networks to move freight efficiently. At present, trucks clog Western Sydney roads, creating pollution, noise and congestion. The roads were not built to sustain the kinds of truck movements that currently exist; therefore the roads require extra expenditure on maintenance. The orbital road will be good for business and it will be good for local residents.

Along with most other Western Sydney residents, I have always been a strong opponent of the toll on the M7, particularly for local residents. However, with the federal government being reluctant to fully finance this part of the national highway system, the state government had little alternative but to implement the toll. I might add, it is the only toll on the national highway in Australia. This is a clear demonstration of the Howard government’s failure in its responsibility to the Australian people.

Turning to other matters regarding the need for proper and appropriate planning for our major cities, we need to examine transport policies and urban design policies together. They are very much two sides of a single coin. As a means of slowing down the urban sprawl that is engulfing us and placing enormous pressure on our transport and health systems, the New South Wales Premier has advocated a reduction in the number of migrants to the Sydney area. He is putting up the ‘house full’ sign for the Sydney region. This approach runs contrary to the argument that Australia needs to increase its migrant intake to increase our population to ensure continual strong economic growth. The total Australian migrant intake has a direct impact on the Sydney urban sprawl.

Before I run out of time, I want to comment on Badgerys Creek, as it has been raised again today. Whatever has been said, whatever has happened in the past, it is Simon Crean and the Labor Party that have put Badgerys Creek airport to bed totally. The member for Mitchell has been an advocate of the airport at Badgerys Creek. If it is claimed that the member for Chifley is the father of Badgerys Creek, then I will say that the member for Mitchell is the mother of Badgerys Creek, because on 7 October 1993 he said in a private member’s motion that he:

... endorses the immediate construction of a private/public airport at Badgerys Creek with a full international capacity including a 2900 metre runway.

He said in his speech:

I believe that there are good arguments why there should be immediate regenerated interest in Badgerys Creek, and that Badgerys Creek should in fact be the site of a second international airport for Sydney.

(Time expired)

Mr BALDWIN (Paterson) (4.15 p.m.)—Today’s motion on transport and urban development moved by the member for Chifley is nothing more than an exercise in hypocrisy. I will start with the very first paragraph of the motion, which says:

... understands that Australians want decisions made on the basis of good policy and what is best for communities, not what suits the electoral pendulum ...

The member for Chifley seems to have forgotten that he put out a press release on 28 July 2003 which said:

Labor has lost 5 seats in Western Sydney and this decision is essential in the fight to win them back.

I say to the member for Chifley: so much for the first statement about using the electoral pendulum. To look at hypocrisy further, I will take the House on a trip down memory...
lane—right back to 24 May 1989, when the member for Chifley said:
I have always been an unrepentant exponent of building an airport at Badgerys Creek in the western suburbs of Sydney.
So gushing was he that, not more than three weeks later, he said:
I guess it would be inappropriate for me not to say something about Badgerys Creek. Mr Deputy Speaker, you will know from previous speeches of mine in this House that I remain an unrepentant champion of Badgerys Creek. I believe it is inevitable that Badgerys Creek will be built.
Not even a year went by before he then said:
We are not ashamed to say that we believe that that is a viable solution to Sydney’s airport needs. In fact, we will be delighted to be with the Minister for Shipping and Aviation Support (Senator Collins) later in the year when he turns the first sod at the general aviation airport there. We have to be frank. We have some expectation that the third runway environmental impact statement may fail and that we will have a domestic or international airport at Badgerys Creek.
This is what consistency is all about. I will even show how proud he was when on 31 May 1995, not that long ago, he quoted an article from the Blacktown Sun, which in part said:
... and blamed the then Labor Cr Roger Price, now Federal MP for Chifley, for helping bring the airport to Badgerys Creek.
The member for Chifley then said in this House:
I want to plead guilty. I have to say that the Labor Party organisation in my area did have a tradition of being against an airport. I suppose, as a new federal member of parliament, one of my most nervous moments was to report to my FEC and seek its support for a campaign to get an international airport at Badgerys Creek.
I must say, though, that there have been some on the Labor Party side who have been consistent against the airport. One has been the member for Prospect, and I have looked at her speeches. And then I looked at the member for Grayndler’s speeches. When he spoke of this new policy which was announced by their leader, Simon Crean, he said it was an:
... example of a bad policy process leading to a bad policy. The fact is that people such as myself and other members around Sydney Airport were not consulted about this policy.
He was supported by the member for Sydney, who said:
I think it was the wrong decision to make. I’ve been open about the fact that I think it’s the wrong decision to make but, you know, all I can deal with is what I’ve got in front of me.
The member for Watson, who is never short of a word, said on 28 March 2001:
When you do look at the totality of the plan, the only answer on what to do with Sydney airport is to build another big airport that will take jets, small aircraft and freighters, and that is Badgerys Creek.
A person who was usually consistent—up until he was made the Deputy Leader of the Opposition—was the member for Werriwa. On 28 March 2001, the member for Werriwa said in this House:
The best arrangement is obviously to fly into Badgerys Creek and have connecting domestic and international flights for people from rural New South Wales. So too, if they fly into Sydney, they should have those connecting flights.
He at least admitted later:
... Bankstown will not be adequate. The proper thing to do is to use the large market that is available surrounding the Badgerys Creek site.
Further, never one to be boastful, the member for Werriwa said:
I go back to 1987 when I started to advocate, while on the Liverpool council, the construction of Badgerys Creek, which was within the municipal boundaries. In 1991 I became the mayor and chairman of WESROC and I can remember that every single state and federal MP in the region was in favour of Badgerys Creek.
At the time of the recession and substantial unemployment, everyone wanted to build the second airport for its job generating capacity.

That is an admirable thing. He further said:
The potential has always been there. From 1991 through to about 1993 or 1994, all MPs, state and federal, were supporting the Badgerys Creek site. I can remember WESROC convening meetings where my friend and colleague the member for Chifley would come along and advocate the construction of Sydney’s second international airport at Badgerys Creek. Some people regard him as the father of the proposal—the person who put it on the agenda in a substantial way in Western Sydney because of its positive economic and employment impacts.

Further, he said:
So Labor policy is to proceed at Badgerys Creek—that is crystal clear—

But now, because he has been made shadow Treasurer and he has been brought into line by the Leader of the Opposition, Mr Crean, he is changing his mind. What we have is wedge politics, but the wedge is within the Labor Party. We have those around Sydney airport wanting Badgerys Creek, and we have those around Badgerys Creek wanting something else. **(Time expired)**

**The DEPUTY SPEAKER (Mr Jenkins)**—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.

**West Papuan Refugees**
**Ms KING** (Ballarat) (4.21 p.m.)—I move:

That this House:

(1) notes the Report of the January 2003 Joint Mission of the Australian Section of the International Commission of Jurists and the Australian Council for Refugees to Papua New Guinea, Seeking Refuge: the Status of West Papuans in Papua New Guinea; and

(2) calls on the Australian Government to endorse the Report’s recommendations and, in consequence;

(a) negotiate an agreement with Papua New Guinea for the recognition of travel documents based on certificates of identity for the purpose of enabling students to enter Australia to pursue educational courses;

(b) provide humanitarian relief through AusAID or other appropriate agencies for those West Papuans in Transmitter Camp found to have refugee status;

(c) express its willingness to assist the government of Papua New Guinea to implement a long term solution for the West Papuans in Western Province;

(d) express its willingness to contribute to support and to provide aid funding to enable Papua New Guinea to put a plan in place to act as an incentive to those West Papuans to move from border camps; and

(e) provide places for West Papuans found to be refugees in Australia’s resettlement programs.

This motion draws the attention of the House to the status of West Papuans in Papua New Guinea. The time allotted for this debate does not allow me to refer to the history of what has happened in West Papua, but it is of course inextricably linked to why West Papuans are in PNG, as is the issue of self-determination for West Papua. My interest in the issue of West Papuans in PNG has arisen from representations to my office from the Sisters of Mercy in Ballarat on behalf of West Papuan students whom they have supported to come to Australia for secondary and tertiary education. The experiences of these students and many others in obtaining certificates of identity and in having these recognised when applying for visas in Australia when wanting to undertake long-term study highlight the uncertain status of many West Papuans in PNG. The Australian Section of the International Commission of Jurists conducted a mission to PNG in January this year—it followed missions in 1984 and
1986—and I recognise the member for Deni-son’s contribution to that mission.

The number of West Papuans currently in PNG is difficult to estimate. Many are in PNG without formal recognition or status. Many have left established camps to resettle in Port Moresby or in areas in which they are able to eke out some subsistence. Many have given up on even applying for permissive residency. West Papuans who crossed into PNG before the 1980s have in many cases obtained citizenship status. But, for those who came after, their status within PNG remains of concern.

The report from the Australian Section of the International Commission of Jurists mission makes it clear that there has been a breakdown in the system of permissive residence renewal and citizenship. The PNG government has accorded permissive residence to some West Papuans who crossed in the 1980s without assessing their individual refugee status. This has not been the case for those refugees who are currently in Transmitter Camp, or most of them. However, to access residence rights, they had to relocate to the camp at East Awin.

Permissive residency gives West Papuans the right to move freely within PNG and to engage in business and employment. Many have established themselves in areas throughout PNG, but, in particular, in Port Moresby. To obtain permissive residency, West Papuans must stay in East Awin for more than a year. If you have left and you wish to apply, you must return to the camp. The certificate is only valid for three years and renewal is subject to the same condition—that is, living in the East Awin camp.

It would appear from the mission report that the system for renewal has broken down. There is no mechanism to remind holders that their permits have expired and that they need to be renewed, and there is no system to process applications. Those who have held permissive residency for eight years may apply for citizenship, but the problems encountered by West Papuans in meeting the residential requirements and the breakdown in the system for issuing and renewing certificates make it difficult for them to obtain citizenship or even travel documents. The citizenship advisory committee, which advises the minister on applications for naturalisation, has also not met for many years—as a result, according to the PNG government, of financial constraint. This has resulted in significant delay in citizenship applications.

West Papuans wanting to travel outside of PNG who do not have citizenship can apply for certificates of identity. They can then travel freely outside PNG, so long as they meet the visa requirements of the visiting country. The few who have travelled have found it difficult to obtain these certificates as there is no clear process and there are significant delays. There are West Papuans who are studying in my own electorate. One of them is the son of a West Papuan border crosser and he had enormous difficulty in obtaining his certificate of identity, with lost paperwork and the system breaking down in many instances. I think it was only almost the week before he was due to arrive in Australia that we got word that his certificate of identity had actually been issued.

The joint mission of the Australian Section of the International Commission of Jurists and the Australian Council for Refugees to Papua New Guinea have put forward a number of recommendations following their most recent mission. They are, I would say, a very balanced contribution to Australia’s diplomatic effort in relation to West Papuans in PNG. They include—and they are part of this motion—that the government: negotiate an agreement with Papua New Guinea for the recognition of travel documents based on
certificates of identity for the purpose of enabling students to enter Australia to pursue educational courses; provide humanitarian relief through AusAID or other appropriate agencies for those West Papuans in Transmitter Camp found to have refugee status; and express its willingness to assist the government of PNG to implement a long-term solution for West Papuans in Western Province. (Time expired)

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

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

Mr CHARLES (La Trobe) (4.26 p.m.)—I thank the honourable member for Ballarat for raising this issue in the House of Representatives today. It is a complex issue. The relationship between West Papua and Papua New Guinea constitutes some great difficulties and has done, I understand, across that border for a very long time. The last time I visited Papua New Guinea was with the member for Franklin—he is the only one from that trip still here in the House of Representatives. We certainly learned a great deal about our relationships with our very close neighbours and we appreciated the opportunities we had. While we flew over the Fly River, we did not manage to get to the border region, nor did we see any of the refugee camps, so I cannot speak from personal experience about those conditions.

I am advised that the Australian government has been monitoring in particular the Transmitter Camp border crosser situation since their arrival in Vanimo in December 2001. I do not know if the honourable member knows this or not: the Public Accounts and Audit Committee of this parliament did learn, during our inquiry into Coastwatch, that Australia has a memorandum of understanding with Papua New Guinea in respect of people movement. We also have a more recent one with China, which has had a huge impact on numbers of boat people. Both of those agreements in effect say that, if transnationals leave their jurisdiction—say, if West Papuans or others are in Papua New Guinea and then transit to Australia—then Australia will send them straight back to Papua New Guinea, which will accept them back again.

I understand it is a difficult issue. Our high commission in Port Moresby, I am informed, works closely with the Papua New Guinean government and their counterparts in Port Moresby to try to help resolve some of these refugee issues. I understand your genuine concern about your student and how it could be that other potential students might be given a more easy path to Australia, either to secondary or tertiary school. We have accepted literally tens of thousands of Papua New Guineans into our institutions over the years. Having visited there, and having a number of friends from Papua New Guinea that I have kept in contact with since then, I am aware that those relationships have been fantastic. It has been good for Australia and for Papua New Guinea.

Papua New Guinea is going through a period of financial difficulty at the moment. I do not know how all of this is going to play out. When we were there, we also learnt about the very great population density problems, which in essence led to the problems with the rascals. My understanding of Papua New Guinean law is that a father owns the title to the land—this is not really shown on a piece of paper; it is, for example, from that rock to that hill to that tree to that place where the bird died—and, when the father dies, the land transfers to any or all of his sons. So if the plot of land was enough to produce a subsistence living for a family of six or seven, and the father dies, then there could be four young men who want to take up that plot of land. That is not sustainable,
so they move to the outskirts of Lae or Mo-resby and that is where the trouble starts.

As I said, I thank the honourable member for Ballarat for raising this issue. The government is trying to monitor the situation, with the UNHCR and the Papua New Guinean government. The government is encouraging Papua New Guinea to review its domestic legislation to allow it to do a better job of helping those who are genuine refugees and to come to some sort of ultimate resolution of its extremely complex border problem in a part of the world that is, quite frankly, almost impenetrable. *(Time expired)*

**Mr Kerr** (Denison) *(4:31 p.m.)*—I thank the member for Ballarat for putting this matter on the *Notice Paper*, and I thank parliamentarians on both sides of this House for the manner in which they are addressing this serious issue affecting our neighbouring nations. There have been very positive reactions thus far to the thrust of the ICJ’s mission report from the PNG government. Foreign Minister Sir Rabbie Namaliu has confirmed, both publicly and privately, that there will be no forced repatriations, and Prime Minister Somare has indicated that the recommendations in relation to an appeal procedure for refugee determinations are going to be favourably viewed.

Having said that, the points raised by the member for Ballarat about the breakdown of the citizenship determination and granting process are serious. Again, there are statements from the PNG government that this will be addressed in the coming months, and I look forward to that occurring. But it is hard to expect the PNG government to meet the full cost and weight of all the measures recommended by the ICJ, which are designed to provide some kind of basic sustenance and support for the more than 12,000 people who, over the last 30 years or so, have crossed the border from West Irian into Papua New Guinea. A number of those, with the encouragement of the United Nations High Commissioner for Refugees, went to the Transmitter Camp at Iowara. Yet, despite the best efforts of the PNG government, insufficient land has been provided for them, so there simply is not a durable solution.

The natural reluctance of others to follow those who have relocated to Iowara into what really is an impossible situation for them has meant that there is now something in the order of 10,000 to 12,000 people living in impermanent camps near the border. Of course, some of those people still harbour hopes of returning to West Irian. Others would want to be incorporated into PNG if a long-term and durable solution were available. But a long-term and durable solution will not become available unless PNG gets external support. PNG does not have the resources to acquire land from traditional owners on that scale. Papua New Guinea is struggling to provide basic assistance and education programs for its own people in Western Province, which is the poorest province in Papua New Guinea, a poor country. In that poorest province are found the poorest of the poor—people who have lost their land in crossing over from West Irian to Papua New Guinea. They are having to use land which is the traditional land of the people in Western Province. Those people have supported them, in a neighbourly way, for a long period of time; but, as you can imagine, there is beginning to be some resentment of the fact that these people are now almost a permanent addition to that community and are putting additional pressure on the availability of land for agricultural purposes. Of course, as has been indicated in the debate, land in Papua New Guinea is heavily used and, whilst there may appear to be a huge amount of land for each person, because the land is used for subsistence agriculture and has a low level of fertility, the rotational system of cropping
means that the additional population is going to create significant and difficult pressure.

Australia needs to help fix this. We cannot fix everything. Some of the issues flow from the way in which the act of self-determination occurred. As a nation, Australia has accepted that West Irian is now part of Indonesia. But I do not think any fair-minded individual would see that as a process that did any great honour to this country or to the history. We can't undo history but we can give attention to situations where individuals can be helped. Not many of the border crossers want to come to this country as refugees but, for the handful that may be well suited and who want to, we should allow places for them under our program. We should make certain that those who wish to study can do so, and we should make sure that AusAID— and the Australian government, through AusAID and other private arrangements—makes funding consistently available to assist PNG put in place a robust and durable solution.—(Time expired)

Mr KING (Wentworth) (4.36 p.m.)—Without doubt, Papua New Guinea is a state that is passing through a crisis as we speak. In the last 10 years there have been at least three economic crises. In the recent election year alone, the fall in GDP was about seven per cent, notwithstanding an increasing GDP over the last 10 years. So the last two to three years have shown that the country is facing severe economic and social problems—37.5 per cent of the population are below the poverty line.

Notwithstanding that record of severe crisis both economically and socially faced by the country at the moment, there is a long and proud history of support by Australia for Papua New Guineans since the first discovery of that extraordinary country. I refer to the fact that in 1906 British New Guinea passed to Australian custody and care; in 1921, German New Guinea; and in 1949, following a UN mandate, the whole of the eastern part of New Guinea. On 16 September 1975, independence occurred, and since then the country has been seeking to establish itself as an independent and prosperous modern nation.

The reason that that broad outline of facts is relevant is that the motion that is before the House needs to be understood in context. Whilst I am prepared to support the general tenor of the motion, it is qualified support. At the end of the day, the people of Papua New Guinea and its government are facing a crisis which needs to be addressed before the issues that are the subject of the motion can be properly and appropriately dealt with. I have mentioned aspects of the economy. There are environmental challenges, even in the area of the region that we are speaking about, near the East Awin camp. There are major environmental problems. There are significant tribal differences and, indeed, continued fighting between various parts of the country—a nation of 715 languages and even more tribal groups. Violence and tribal differences have become even more pronounced than they were in the past and democratic values that have been sought to be instilled are observed more for their breaches than otherwise.

It is in that context that I refer briefly to the recommendations of the report of the January 2003 joint mission. I note that the honourable member who has just spoken was a member of that delegation, led by Justice O’Meally, a friend and former colleague. I want to say three things about the report. The second recommendation is one that I will briefly focus on. It recommends:

That the PNG Government review its laws and procedures for granting Permissive Residency to West Papuans ...
But, at the end of the day, that recommendation will be observed and put into effect by the Papua New Guinea government only if the broader issues of economic and social breakdown that I have raised are redressed, because they really form part of a broad administrative measure by a government that is functioning to full effect. However, there are some practical measures that could be carried out at little cost. The suggestion that PNG grant citizenship to children born in PNG who would otherwise be stateless seems to me to have some force, as does also the recommendation that the PNG government not forcibly deport or threaten the deportation of any West Papuan who may be at risk of serious human rights violation on return to West Papua. A third in that category is recommendation 19, which says:

That West Papuans be entitled to apply for Permissive Residency if they are prepared to meet the conditions required for that status...

I have had long experience with Papua New Guinea over the years. I have appeared in the courts of that country and I have met many of its leaders. I understand the way in which the legal processes of Papua New Guinea occur, and, with that background, I care about the future of that country. Those are measures that could be put in place. I am aware that the legal system is capable of doing so, and they ought to be seriously considered. (Time expired)

Ms HOARE (Charlton) (4.41 p.m.)—I am also pleased to be able to support this private member’s motion put forward by the member for Ballarat, which notes the report of the January 2003 Joint Mission of the Australian Section of the International Commission of Jurists and the Australian Council for Refugees to Papua New Guinea. The previous speaker spoke about the recommendations being put in context. To put this motion in context, this is about Australia being a good regional neighbour to a very close country and supporting people who have suffered hardship and humanitarian abuse over the years which have caused them to leave their homelands and to seek refuge in another country.

The previous speaker also spoke about the recommendation for Papua New Guinea to provide citizenship for children who are born in Papua New Guinea from West Papua parents, because they would otherwise be stateless. As I understand it, any West Papuans who are now living in Papua New Guinea who have been out of West Papua for six years or more are stateless, so I cannot see why a distinction is being made between stateless children and stateless adults. I think that is something which could be extended to all. There has been discussion already about the Transmitter camp and the other camps. As I understand it, since the mid-1980s about 11,000 of these displaced West Papuans have been living in the western areas of Papua New Guinea. This is an issue which requires long-term solutions, and the recommendations in the member for Ballarat’s motion provide practical suggestions which would be of minimal cost to Australia. They are small steps which would help address some of the issues which are facing West Papuans.

To put it in historical context, situated on the western half of the island of New Guinea, West Papua was given over to Indonesia when Dutch colonial rule ended in 1963. The questionable act of free choice elections in 1969 confirmed Indonesian hegemony. West Papua is a mineral-rich area, whose reserves of gold, uranium, nickel, natural gas and other resources are coveted by a number of foreign mining companies operating under the protection of the Indonesian security forces.

As a result of the foregoing political and economic developments, West Papua’s 2.5 million people continue to bear ongoing...
challenges to their human rights and dignity as a people. For nearly 40 years there has been a failure on the part of the international community to address a culture of impunity that has tolerated militarism and oppression in West Papua, a situation that bears obvious parallels to earlier conditions in East Timor. More than 100,000 Papuans have been killed over the 38 years of this ‘integration’ into Indonesia. Although Indonesian transmigrants continue to be moved into the region, the indigenous people of West Papua continue to seek ways to ensure the peaceful participation of the entire population in a democratic society.

There has always been residual sympathy in Papua New Guinea for the people of West Papua and for their difficulties under an Indonesian administration. This is hardly surprising. Its very first self-governing elite were often themselves among the schoolchildren who had gone on the crossborder exchanges encouraged under the Dutch-Australian administrative cooperation arrangements. In addition, those who live in the border regions know full well that the refugees who came across in numbers in the lead-up to the act of free choice elections, and periodically thereafter, were not always the nomadic peoples who moved across the often unmarked border for traditional reasons or the ‘economic refugees’ looking for a better life in a more advanced Papua New Guinea, which both the Australia and Papua New Guinea governments were inclined to describe them to be. They were as well the educated elite fleeing political persecution. It is these who sought and were granted permissive residence in Papua New Guinea, where many of them, as we know, remain today. (Time expired)

Mr CAUSLEY (Page) (4.46 p.m.)—In the limited time that I will have available to speak on this motion about West Papuan refugees, I would like to make a small contribution. Obviously, this is a very difficult issue and I certainly sympathise with those people who are involved, particularly those refugees who have come across the border and are now living in conditions that none of us in this parliament would see as being ideal. I think it is important to understand that Papua New Guinea, which is one of the poorest nations on earth, would find this particularly difficult to deal with. I agree with the member for Ballarat that many of these people, especially those up on the West Irian and Papua New Guinean border, are tribal people who have land that in many instances is held by a family—limited land at that—and of course when extra people come across the border and need to try to live off that land it makes it extremely difficult.

Since 1975, when the Whitlam government granted independence to Papua New Guinea, Australia has been a significant contributor to try to help Papua New Guinea, and I think that undoubtedly will continue. The issue between West Irian and Papua New Guinea is a very difficult political issue. Members would probably realise that I led a delegation just over 12 months ago to Indonesia, which included the member for Werrawa, the member for Lingiari, the member for Lindsay and Senator Eggleston, and West Irian was raised very early in our discussions—the Indonesians raised our attitude to West Irian—so it is a sensitive political issue; there is no doubt about that. On the other hand, I have no doubt that the West Irianese would like to see some form of independence, although that would be difficult given the fact that there is limited development in that particular province at this particular stage. I am again leading a delegation, in the next few weeks, across to both Indonesia and Port Moresby—this time with Senator Ray and, I believe, the member for Mitchell and others—during which, I dare say, these issues will be raised yet again,
probably from both angles, and I am very aware of the sensitivities involved. Nevertheless, there are some issues that need to be discussed. The Australian government is regularly in contact with the Papua New Guinea government; the Minister for Foreign Affairs has made that very clear on a number of occasions in this parliament.

I did read the report—belatedly, I must say—after this motion appeared on the Notice Paper and I did have some concerns about some of the issues in it. The honourable member for Denison might be able to inform me later about them, but I thought that some of the recommendations were rather categorical, given that we are dealing with another country. We are dealing with a separate country with limited resources. While it is all very well for us to sit back in our ivory towers and say that we expect a country to do such things, I dare say that in this instance we could have been a little bit softer in some of the recommendations that were put forward, because I do believe that there are mitigating circumstances in this instance. If we look around the world at some of the more developed countries—

The DEPUTY SPEAKER (Mr Barresi)—Order! The time allotted for private members’ business has expired, I am sorry to say. 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 will have leave to continue speaking when the debate is resumed.

GRIEVANCE DEBATE

Question proposed:
That grievances be noted.

Drought: Assistance

Mr KATTER (Kennedy) (4.50 p.m.)—I wish to draw to the attention of the House the extremely depressing conditions that prevail throughout rural Australia, particularly that part of rural Australia that I represent. At the time of speaking to the House, all of the Central West and other areas of Queensland—the Great Mid-West, as they are called—are suffering very severe drought conditions. In my lifetime as a parliamentarian, spanning some 30 years, I cannot ever remember us getting knocked back for drought moneys when we made a serious attempt at them. But given the administration of the Minister for Agriculture, Fisheries and Forestry—the honourable member for Wide Bay, Mr Truss—once again Mr Truss is going to score a first in the incompetence of the handling of his portfolio and the incompetence of the department which he presides over.

Believe it or not, a drought declaration for North Queensland has to be undertaken by officers of the department living in Canberra. I pointed out to the officers in the department that some 20 stations are destocked either partially or totally and that I can give them the names of stations where they have moved from having 15,000 sheep down to 400 sheep. I can give them the names of stations that have been pushing down prickly trees for their cattle to eat for some six or seven months. They have now run out of prickly trees. I can point out to them stations where they have been handfeeding part or all of their herd for some five months now. Effectively what they said was that their computer model did not indicate that we had drought conditions.

The DPI officers who live in North Queensland have traditionally assessed these situations. It is thought by some people—who I think live in the Stone Age—that they are going to get a better deal from the coalition than they are going to get from the Labor Party. It may be true that they will not get a better deal, but it is most certainly not
true that they are getting a good deal now or can survive on the deal that they are getting at the present moment. Go no further than this decision.

AgForce, the industry representative body in Queensland, is led by probably the finest farm leader we have in the country. He, along with John Bronger of the Pharmacy Guild, is one of the two finest leaders of owner-operated businesses in this country. The situation is that AgForce has come forward and said that there is a very severe drought on up there. The DPI, the local state officials, have said, ‘There is a very severe drought on in half of North Queensland.’ Everyone seems to agree on this except the officers of the department here. They cannot even see fit to leave their computer screens, with their computer models, in Canberra to go up there.

It must be pointed out that I do not expect officers in Canberra to be experts on landforms throughout Australia; nor do I expect that they would be experts on weather conditions. In the area that I represent—in the cracking clays, the vertisol soils, the black soil plains, if you like, of the northern half of Queensland—if you get anything less than an inch of rain it really does nothing else but fill the cracks. Nothing will happen as far as grass growing. If you get more than two inches of rain it all runs off; the soil seals over. It is a very drought-prone area in its natural state. To apply a computer model that will work in western New South Wales or north-western Victoria to North Queensland, where we have a drought at the end of each year, is quite ridiculous. We have an entirely different situation.

As far as governments coming to grips with what needs to be done for these people, we really do not need to be providing a handout, even if there is a small subsidy involved. I was reading the brief on ethanol from the congressional briefing paper in the United States and it mentioned in passing that the corn growers were enjoying a subsidy for this year in excess of $1,000 million, at a guaranteed price of $2.60 a bushel. That is how other countries treat their farmers. If we could just get interest rates to the same level as the interest rate that the government pays—which is probably around four per cent or less at the present moment—we could pass on to the growers the benefit of that wholesale interest rate that government enjoys. That wonderful and great man John McEwen provided for us development banks which simply loaned the money out to the farmers at the same interest rates that they were borrowing money. That was carried on in the same tradition by Doug Anthony, his successor. Quite frankly, if you put 0.2 per cent on it—and I was one of the two ministers overseeing the QIDC in Queensland—you make very handsome profits. So we are not asking for a handout; in fact, we are inviting the government to make profits. Lending in agriculture is very safe.

The policies imposed upon us by the current regime—and I must again mention Mr Truss and Mr Anderson, who are both ardent free traders—have deregulated industries. It is not a philosophy of the Country Party, which I have spent most of my life in, or the National Party, as it later became. Most certainly, in its modern context, it is the philosophy of the ALP. People got up all the time and talked about 25 per cent tariff cuts. That came from Mr Whitlam. The father of economic rationalism in this House was none other than Mr Keating. When that person deregulated the wool industry, he first undermined the scheme and then abolished it. When he did that, the price for wool dropped clean in half. The member for Richmond is in the House at the present moment. When his father introduced that scheme, the price for wool went up 300 per cent. What a won-
derful, magnificent contribution to this country Mr Anthony made as a minister and as Deputy Prime Minister. In 1989 that scheme resulted in one-tenth of the nation’s entire export earnings coming from one commodity—wool. The deregulation of that scheme took earnings from $5.9 thousand million a year—one-tenth of our export earnings—down to a situation now where half of the sheep herd has vanished.

Mr Deputy Speaker Causley, let me switch subjects completely. You, the member for Richmond and I represent part of the banana industry. I represent the larger share of the industry. If AQIS, or Biosecurity, as it now calls itself, should exist then it should exist to protect the industries of this country and to prevent disease from coming into this country. The Philippines has 23 diseases of bananas that Australia does not have, including the dreadful moko and black sigatoka diseases which you are quite familiar with, Mr Deputy Speaker, I am sure. In New Scientist magazine of February this year there was a front-page article on how the banana industry is vanishing and is doomed as a result of those two diseases—both of them endemic in every part of the Philippines. How any responsible minister or any responsible government could seriously consider for a fraction of a second bringing those bananas into this country and still say they have a quarantine service is beyond the wildest stretch of my imagination.

Let us save the Australian public money and close the quarantine service down, because it should not be there if it allows bananas to come in. The grape decision staggered me, when we brought the grapes in from California where a 10th of them have died as a result of Pierce’s disease. But if this happens, I will not use the arguments that 5,000 or 6,000 Australians will lose their jobs or that the economies of whole towns will completely vanish overnight. It would be naive for me to do that. For my colleagues on the right who may be a bit ignorant about these things, the industry will be replaced by cattle—an industry that employs nobody at all.

We could put most of these shire areas, such as the Innisfail shire area and the Tully shire area, under cattle and we could run the whole industry with 100 people—and this is a place where there are probably 3½ to 4½ thousand jobs at the present moment in bananas. If they are replaced by cattle, that will be the fate that awaits those towns—similar to the ethanol for sugar industry and the tobacco industry. A reintroduction of the tariffs we were allowed to have, and the introduction of a cancer research levy if necessary, will, I am sure, guarantee that we will be able to have tobacco back in the Australian marketplace again. And, of course, as I speak, the dairy industry is going through its death throes throughout major parts of Australia. That is the situation in rural Australia.

(Time expired)

National Sustainability Initiative

Mr HUNT (Flinders) (5.00 p.m.)—I rise to take the opportunity to propose to the House the concept of a national sustainability initiative. I propose this initiative in the context of a 30-year vision for Australia’s environment, focusing on the notions of priority areas of need, identified indicators and specific targets and programs across the core areas of water, land and biodiversity, atmosphere and also energy in human settlements.

In setting out this need and desire for a national sustainability initiative, I particularly want to first put it in the context of two events. In the last week we saw the passing of Garrett Hardin. Garrett Hardin was a US biologist, a Republican, who in 1968 wrote one of the great seminal works of the 20th century. In the journal Science, he wrote ‘The tragedy of the commons’. ‘The tragedy
of the commons’ set out a thesis, and that thesis was a very simple one. To quote his own words:

The rational man finds that his share of the cost of the wastes he discharges into the commons—that is, the land which we all own—is less than the cost of purifying his wastes before releasing them. Since this is true for everyone, we are locked into a system of “fouling our own nest,” so long as we behave only as independent, rational, free enterprisers—not locked into the system established for a group and a collective. There is a local example of that in my electorate of Flinders where, at Gunnamatta beach, the eastern treatment plant pipe flows out, carrying with it 420 megalitres a day of secondary treated sewage—150 billion litres every year. That water is discharged off the coast, but only by a matter of metres. It has three effects. It has an environmental effect, a health effect and it represents a ridiculous waste of 150 billion litres of captured water that we have in our possession every year. It is a classic example of the tragedy of the commons: we take that which is the action of an individual in disposing of his or her waste, we throw it into our collective resources and we damage them.

But this is writ large across Australia, because this example is one of 142 ocean outfalls. Those 142 ocean outfalls put approximately 1.5 trillion litres of waste water onto our coasts, into our seas and into the areas where people swim, at the same time wasting a valuable resource that we have captured and which represents an extraordinary opportunity for use. Interestingly, that 1.3 trillion litres is approximately the amount that has been recommended for the regeneration of the Murray-Darling Basin, dependent upon different estimates. But that is water which we have, which we own, which we use and which we waste, and that is all an example of the tragedy of the commons as it plays out.

Hardin’s thesis is a simple thesis. It is that there are those resources which are common to all of us. If we draw upon them in moderation, if we draw upon them collectively and if we draw upon them in a way that is sustainable, then we will all benefit. But if, as is the case, it becomes a rational action for one individual to draw more than his or her fair share—such as a fisherman who cheats on their licence or a polluter who dumps more than their fair share by putting in and fouling the common areas—we are led to a situation which is damaging for all. The impact is one of two things: either exhaustion of resources, whether it is our fisheries or our lands, or destruction of our resources, whether it is our water, our land through salinity or our atmosphere through pollution.

What do we need to address this? We need two simple things: we need prevention and we need remediation. This is where I turn to the notion of the national sustainability initiative. I believe that we have a unique opportunity to establish a 30-year vision, with clear milestones and clear objectives across the four spheres of the Australian environment: water, land and biodiversity, atmosphere and energy in human settlements. If we establish a national sustainability initiative which sets out the 30-year targets that we can agree on in those areas—targets such as ending all of the ocean outfalls in Australia by 2025, a percentage increase in the total biomass of all fish within the Australian exclusive economic zone waters by the year 2030, an agreed percentage increase in the total biomass of all fish within the Great Barrier Reef Marine Park by 2030, and similar examples; and I commend the Minister for the Environment and Heritage, Dr David Kemp, for doing exactly that in relation to the Great Barrier Reef—then we can make real progress. On the atmospheric front, we would look at a percentage reduction by weight in the emissions registered under the National
Pollutant Inventory, with a date and target. Similarly, we would look at a percentage reduction in salt affected lands by the year 2030 and attainment of a certain percentage of all human energy consumption from renewable resources by 2030.

Those are the types of goals needed. It is easy to set goals. In this country we have a history of goals which have been set and then disregarded—including the goal that ‘no child shall live in poverty by the year 1990’. It is very easy to set a headline. It only becomes meaningful when it is attached to a concrete rational program. I wish here to propose a concrete mechanism for achieving those goals, which would work together to comprise a national sustainability initiative. The essence of the mechanism is two-fold. First, there has to be a recognition of the core priority areas and the setting of national targets across the generations—so it has to be a generational goal. Secondly, we have to decide how we fund it, how we achieve it and how we bring it into being. Here I wish to deal with a particular mechanism.

The government has already used the Natural Heritage Trust as a percentage return to the public from the transfer of assets from the sale of Telstra part 1 and part 2. There are advantages to the sale of Telstra. It allows for the investment within our national telecommunications carrier of equity rather than debt as the basis for raising future investment. Also, on today’s prices—and here is a fascinating figure—there would be a recurrent benefit to our budget of $340 million a year. What do we mean by that? It is very simple: if you were to sell Telstra, you would obtain approximately $1.75 billion in annual debt relief; $30 billion in debt relief would have an effect on the budget of about $1.75 billion. As opposed to that, the loss of the dividend receipts would be about $340 million less—and that is on today’s prices.

No matter what the argument, by holding it in its current form, every year we are wasting $340 million of taxpayers’ potential revenue for hospitals, kidney machines, schools and the environment—for all of these things. In that context, I suggest that the vast bulk of that money—the vast bulk of the capital receipts—should be returned for paying off debt. However, I would also suggest that if, as occurred with the Natural Heritage Trust and Telstra part 1 and part 2, approximately 10 per cent of the sum were returned, on the sound economic basis of making investments now to heed, to ward off and to address exponential costs in investment in the future, that should be the basis for the national sustainability initiative. That money, drawn from capital, going back to capital, with a visible and clear return to the people in our urban fringes and in our rural areas, could directly address our water resources, our water sustainability and our coastal protection. This notion of a national sustainability initiative would then be economically sound and also about preparing ourselves for a long-term generational view.

I return very simply to the ‘Tragedy of the commons’ as represented by the threat to my own electorate and to the area of Gunnamatta beach. We see there a problem of individual actions collectively mounting to create damage. We have a once-in-a-generation opportunity. I commend this proposal of a national sustainability initiative. I am disappointed in those who would oppose this mechanism, and I urge the House—(Time expired)

Social Capital

Mr MOSSFIELD (Greenway) (5.11 p.m.)—In my grievance speech today I wish to discuss the need to invest in and to strengthen what we call social capital. I refer to groups, organisations and individuals who work within our local communities to provide social stability. It is simply not possible
in this 10-minute speech to list all the groups that function in any community, but churches in particular stand out, as do service clubs, senior citizens organisations, Neighbourhood Watch, Red Cross, park committees and sporting clubs—to name just a few.

In my electorate of Greenway, we have local government-run community centres at Riverstone, Marayong South, Seven Hills, Toongabbie, and Dean Park, out of which volunteers and paid staff provide a vast range of services to their local communities—everything from Meals on Wheels for the elderly to youth services for the disadvantaged. We also have progress associations in Glenwood, Stanhope Gardens and Dean Park. They are fighting for the infrastructure needs of their rapidly developing residential areas. In Greenway the infrastructure needs—such as roads, transport systems and telecommunications—have simply not kept pace with the residential growth, and the communities are suffering as a result.

The New South Wales government has worked diligently to bridge this gap, with major works on Windsor Road recently completed and major work proceeding on Sunnyholt Road and the much needed Western Sydney Orbital—what is now known as the M7. Telecommunications, however, are still a major problem in the area of Greenway, where many people work from home and our large youth population requires fast Internet services to enable them to complete their homework and studies.

So the role of social capital ranges across all spheres—from providing meals to the sick and lonely to telecommunication issues. Financial support is provided at the federal, state and local government levels on an intermittent basis, but greater financial assistance from all levels of government would enable a better coverage of the needs of the area. To give an example, I have recently made representations to the federal government on behalf of two local groups for funding for sporting projects. I will mention each of these projects briefly to highlight the urgent unmet needs in this area.

The first of these projects was a request for financial support for the upgrading of Mickelson Reserve in Quakers Hill. Quakers Hill is an area of considerable residential growth. Many young families are moving into the area. The reserve is currently being used by the Quakers Hill District Junior Rugby League Football Club, Terra Sancta High School and the Quakers Hill and Kings Langley Cricket Club. The football club alone has 19 teams, involving 250 young people in their club activities, so you can see the need for providing appropriate facilities.

The second project is from an enthusiastic group of local residents from the suburb of Dean Park. This group is campaigning to establish a permanent youth centre in the area. Dean Park is a well-established local suburb with a large youth population. At the moment there are insufficient recreational activities for young people, which has resulted in an outbreak of antisocial behaviour. The local community works hard to provide for the social and recreational needs of the residents, with the Dean Park Community Centre and local schools in continuous use for youth activities. However, a centre is required to provide a permanent base for youth activities such as music, gymnastics and other passive activities for young people in the area. In each of these cases the relevant ministers, while being sympathetic to the requests, have been completely unable, or unwilling, to help these groups to invest in the social capital of the region.

In an electorate such as Greenway, with its high ethnic mix, there is a particularly strong challenge to bring together the various ethnic groups with the existing local populations.
Many of the larger ethnic groups have established strong community organisations of mutual support, but the interaction between these groups and the general community is not always so well established. The Blacktown Migrant Resource Centre and the Macquarie English Language School are two organisations which are providing valuable assistance in this area. There is a need for organisations such as the BMRC, along with schools and workplaces, to be provided with specific resources to bridge the ethnic divide. In the last calendar year, the BMRC provided information to more than 24,000 migrants in Western Sydney. This information was delivered through 117 information sessions. These sessions were delivered at the centre’s main office in Blacktown and on sites for key communities in Mount Druitt, St Marys, Liverpool and Auburn.

More than 70 different community groups and organisations regularly use the facilities of the centre, making a significant contribution to the social capital of the area. I know that the government is generally very pleased with the work that is being carried out by the Blacktown Migrant Resource Centre. But I believe that the bridge between our ethnic population and the wider local community is through the youth of the area, so I was very pleased to see that the BMRC has established a non-English-speaking youth project. This project has worked closely with the smaller emerging community projects, ensuring better delivery of outcomes for younger people from refugee backgrounds. The program includes tours of local youth services, career information seminars and anti-racism programs. It also looks at mental and emotional health issues and provides education on rights and the police system in Australia and cross-cultural sports programs where young people can interact with the broader youth community.

Only last Thursday, I attended the launch of the Blacktown Migrant Resource Centre’s multimedia youth resource kit, which reflects the challenges faced by refugees, young people and communities as they settle into new lives in Blacktown. The launch featured oral and musical presentations from young people from Sierra Leone, Sudan, Afghanistan, Sri Lanka and Kurdistan. This is the very essence of why investment in social capital is so important. This was a very moving and well organised project, and it was interesting to hear the stories of the young people from these countries and to hear about the difficulties that they have to overcome in coming to Australia.

Our educational institutions such as universities and schools also make a contribution to the social capital of the region. The University of Western Sydney, which has a large number of campuses throughout the Western Sydney region, provides an invaluable service to the community of the greater west. This university services an area which is traditionally disadvantaged when it comes to educational opportunities. The participation rate in higher education in Western Sydney is only 3.2 per cent, compared with five per cent for the rest of Sydney—and the proportion of people with degrees is only half that of eastern Sydney, for example. More than 70 per cent of students at UWS are the first in their families to attend a university. The university’s role in providing for the future of our area is incredibly important, which is why the $270 million funding cuts to it by this government are so abhorrent. I am pleased to say that the local councils are taking a very keen interest in this issue and have discussed it with the government, with a view to restoring the funding that has been taken away from the university.

I would like to talk briefly about how education—public education in particular—contributes to the social capital of a commu-
I will refer to an article written quite a long time ago—in 1909—by Professor W. H. Holmes. I believe it is still very relevant today. In that article, Professor Holmes, a Harvard academic, states:

Civilised communities undertake education as a part of their proper business, not as a charity, but as a necessary public function.

Further in the article he states:

The public interest is not met by merely elementary education. It is met only when every prospective citizen may secure without undue sacrifice that extent and kind of education which will make him most efficient in his fundamental social relationships, including his vocation.

In other words, do not limit public education to the basics. People need more than that; society needs more than that. Yet in the education portfolio we have a minister who is eager to cut courses from universities, so he says, because they do not fit his political agenda.

What makes a community a community? It is more than a mere collection of individuals thrown by circumstance into a particular suburb or region. It is an investment in social capital—links and networks—that creates community. The individual is important, certainly, but the community—the society—is just as important. When one becomes subservient to the other a great deal is lost. This government is focused consistently on the individual, with little or no thought for the community—for society. The balance is wrong. In a democracy, government exists to create the balance. (Time expired)

Indigenous Affairs: Larrakia Nation

Mr TOLLNER (Solomon) (5.21 p.m.)—Three weeks ago I attended the official opening of the Karawa centre, the new Larrakia Nation headquarters, at Darwin International Airport. It was an occasion that highlighted the achievements of the Larrakia people, traditional occupiers of the land where Darwin and Palmerston now stand. A few years ago the Larrakia people were a diversified people of major family groups integrated within the broader population of Darwin and in danger of losing their cultural individuality and traditions. Today, due to the hard work of a number of their leaders—and support from the CLP Northern Territory government, the current Territory government, ATSIC and other organisations—they are re-establishing their identity and presence in the greater Darwin area. There are a number of different projects with that aim.

The new premises is the centre for a wide range of cultural and social initiatives, including—with the help of our Work for the Dole funding—cultural activities like canoe making, arts and crafts manufacture and sales, a plant nursery, and markets. A Larrakia cultural awareness project is commencing at the Northern Territory museum. It will include arts and crafts, dance, story telling and guided walks. The Larrakia are also tackling the social issues affecting them. The Karawa premises include offices for Larrakia aged care and the itinerants program for Darwin and Palmerston. This latter program is a direct approach to a problem that is all too familiar to many Darwin and Palmerston residents: public drunkenness and misbehaviour. Initiatives include a community day patrol, meaning early intervention in and around the streets of the cities; a day facility, providing alternatives for those living the itinerant lifestyle—'long-grassers' as we call them; and accommodation options for those who need them.

Larrakia leaders such as chairman of the Larrakia Development Corporation, Kelvin Costello; chair of the finance committee, Richard Barnes Koolpinyah; employment and training committee chair, Barbara Tapsell; ex-board member and tireless worker for the Larrakia, Bill Risk; a recently deceased member of the Cubillo family, who I
shall not name out of respect for tradition; and a number of other family heads deserve the Top End community’s acknowledgement and thanks for their hard work in re-establishing the Larrakia as an entity and force for good. These cultural and social initiatives are necessarily underpinned by economic advances for the Larrakia in the past few years, which are very much integrated into the future development of the Darwin and Palmerston communities. The first of these was the agreement between the previous Territory CLP government, Larrakia representatives and ConocoPhillips for the purchase of land at Wickham Point, alongside Darwin Harbour, for the LNG plant to process gas from the Bayu-Undan gas field in the Timor Sea.

A second economic opportunity for the Larrakia people was an agreement between the CLP government and the Larrakia people, with assistance from the Northern Land Council, over land that was to be compulsorily acquired for the further development of a Palmerston residential estate. The agreement, finalised in December 2001, has allowed stalled urban development to go ahead. Native title claims over some of the land were withdrawn and native title rights were waived over a sporting complex, as were objections to the compulsory acquisition. Today the Darla project, as it is known, has seen 50 residential lots developed and a second stage of some 59 lots is under way. These economic initiatives are being followed up with the identification of training, apprenticeship and job opportunities for Larrakia people.

In summary, the Larrakia are re-establishing not just their identity and cultural practices but also their collective economic interest and investment in their homeland—Darwin and Palmerston. The Larrakia have commenced a journey that will see them establish greater economic independence, and that is a good result both for them and for the whole community in my electorate of Solomon. This is, as they say, a good news story. However it would be a dereliction of my duty in recording this story in the House if I were to fail to mention the concerns that some Larrakia people still have about the domination of the Northern Land Council over their affairs. The work of the Northern Land Council in enabling these beneficial developments deserves recognition and the appreciation of all those involved. However it must be said that, in this case and in other instances where the multi-million dollar Northern Land Council heads up negotiations on behalf of Aboriginal groups, there are considerable reservations among traditional owners about the power and control the land council wields in enabling such projects.

The Larrakia Development Corporation, the business arm of the Larrakia, is a creature of the NLC. The sole shareholder of the Larrakia Development Corporation is the Northern Land Council. The board members of the Larrakia Development Corporation are chosen by the NLC as the sole shareholder. The NLC says that, following a future Federal Court determination of native title holders being finalised, the acknowledged native title holders may replace the NLC as shareholder. However the NLC is quick to add that ‘some things may be difficult to change because they are fundamental to the LDC’s structure; for example, its charitable qualities.’ This expressed reservation catches my attention because it is clear today that the big land councils in the Northern Territory have gone to considerable lengths to defend and perpetuate their existence and their total control over moneys that flow to them from the public purse.

One of the ways this has been done is by establishing combinations of Aboriginal corporations and charitable trusts that put their
financial affairs beyond the scrutiny of the public, the government and even traditional landowners. It may be that these arrangements result in outcomes for Aboriginal Territorians that are both beneficial and could not occur without this cloak of corporate secrecy. It could also be that moneys are being misused. Only a few people on the boards of particular Aboriginal investment corporations and charitable trusts know the answer, and they have consistently refused to lift the veil on how hundreds of thousands of dollars a year—millions over the past decade—are being utilised and to what purpose. While I am putting on the record my congratulations to those, including those on the Northern Land Council, who have been instrumental in revitalising the Larrakia nation, I also place on the record my determination to see greater accountability and transparency in the future work of the big land councils in the Northern Territory.

The Northern Land Council has been audited twice in the past 12 years. The financial audit in 1992 found embarrassing irregularities and the performance audit of last year found that there were no performance targets in place, so it was impossible to report on whether the land councils were meeting them. Land council administration costs have gobbled up about 50 per cent of the mining royalty equivalents money. Only about 12 per cent, after discounting ABA money spent by the land councils on pastoral property acquisitions, has gone to grants for the benefit of Aboriginal people in the Territory.

In other words, Aboriginal people in the Northern Territory have been ripped off over the past 20 years by at least $50 million by the very bureaucracy which is charged with looking after their interests. For Aboriginal Territorians who find themselves locked up in their traditional lands relying on welfare payments it is time, as Northern Territory minister Jack Ah Kit has said, for land councils to work proactively towards engaging Aboriginal territory with private enterprise and economic development.

The land rights act in the Northern Territory was well intentioned, but it has created some considerable unforeseen consequences. The land rights act must be seen for what it is—a rights act which attempts to create a prehistoric preserve of Aboriginality within the Northern Territory. The big land councils must be seen for what they are—members of a culturally inappropriate, administratively high-cost, politically contaminated, vested interest regime which is arguably at risk of financial corruption and which has overseen the diversion of funds for Aboriginal benefit into administrative expenses and selective individual benefits. In conclusion, I congratulate the Larrakia people and their leaders for their achievements over the past few years but restate my long-held view that economic development for Aboriginal Territorians should be, where public moneys are involved, fully accountable and placed under the control of those who stand to benefit from such developments upon their land. 

(Time expired)

Transport: Maritime Safety and Security
Aviation: Air Safety

Ms O'BYRNE (Bass) (5.31 p.m.)—Australia’s security and safety environment has changed dramatically in recent years, as a result of events both here at home and overseas. At present a lot of energy is quite rightly focused on improving security in airports and airspace. However, what concerns me greatly is that there is not a lot happening in the way of legitimate reform to maritime security or a real understanding of aviation safety. The government has to realise that maritime security is not just about chasing fishing boats around the region to stop the stealing of toothfish—although we do care quite a bit about that in Tasmania—or ensur-
ing that boatloads of refugees cannot make it past Christmas Island to the mainland. Maritime security is about security within our ports, it is about the safety of our maritime workers and it is about the success of future international trade and relations.

Historically, Australia’s maritime industry has not been subject to the stringent security requirements that have been enforced in the aviation industry. This now means that we have a situation where changes will be required of an industry that has had next to no consultation on what are appropriate security and safety measures—a situation which I find quite ludicrous. The maritime industry has expressed concern that proposed regulations for maritime security have not received proper exposure, concern that these reforms go beyond the International Ship and Port Facility Security Code and concern that they cannot be tested against any guidelines for a maritime threat assessment to determine adequacy, because ASIO as yet does not have any guidelines for a maritime threat assessment.

Maritime security in Australia has indeed been managed in a very poor manner. In a nation that has one of the largest shipping tasks in the world, structural changes should receive more attention. However, the maritime industry, along with the ALP, is acting in good faith to progress this issue, and we must compensate for the incompetency of this government in the handling of these important issues. Of course, the introduction of new security regulations will not just happen and, as you would anticipate, the Howard government is forcing the maritime industry to bear the huge implementation costs. The minister and the government believe that because the aviation industry is forced to pay for security measures it is okay for the maritime industry to pay as well. Perhaps the minister needs to be aware that, just as the airlines pass on the increased security costs to the travelling public, the maritime industry will have to transfer the costs of implementing new regulations through the supply chain.

It is possibly also worth pointing out that the industry has significant concerns regarding cost escalation as the associated maritime security levels are escalated. Moving from default level 1 to level 2 is likely to add substantial costs—and heaven forbid that there be a huge resource cost to move to level 3. Of course, the precise nature of these costs is difficult to ascertain at this stage, because the regulations, as we know, are absent. The maritime industry will have to pass on the costs through the supply chain, and ultimately consumers will pay. The federal government may need to be reminded that it is responsible for national security, and this responsibility extends to embracing measures to protect the Australian community, government and institutions from harm. The government cannot be permitted to walk away from the associated implementation cost of securing our nation.

My home state of Tasmania relies heavily on our ports to facilitate trade between the islands and the mainland, and it concerns me that assistance is not being provided to Tasmanian ports. It concerns me that the government is, through a sleight of hand, slugging consumers yet again. Tasmania’s four port authorities will need to deal with the new security requirements, and should the costs flow from the ports through to consumers Tasmania’s very small population will be hit hard. I suspect it will be hit harder than any other state.

I know it is a pointless exercise asking the government whether an economic analysis has been done to assess the flow-on impact of any new port security regulations, because I know there has been none. In a nutshell, the government’s handling of maritime security
has been nothing short of incompetent, which leads me to a second point—the government’s blind ineptitude in its introduction of the National Airspace System. This weekend I had the opportunity to meet with Civil Air and some very concerned air traffic controllers in Launceston. The fact that so many air traffic controllers and pilots are concerned about the safety of air travel once the National Airspace System is introduced in Tasmania on 27 November quite frankly frightens me, as a rather frequent flier. But this week many more aviation industry representatives and experts are also raising concerns—concerns which, I might add, have been dismissed by some private pilots, who are arguing that the whole safety issue is really just a ploy for commercial entities to control the skies and a union grab for jobs. This week aviation industry groups, including the emergency medical service helicopter operators, fixed wing aeromedical organisations, regional and mainland airlines, more organisations from the general aviation industry and charter and flying training organisations have all thrown their hats into the ring to raise concern over air safety under the National Airspace System.

I therefore have to ask whether the government does not find it alarming that so many aviation experts are telling us that our safety will be compromised under the National Airspace System? Does the government also not find it alarming that, based on the safety comparison carried out last week, the airspace over Tasmania would become one of the most hazardous in the country? If experts are telling us that through the implementation of the National Airspace System our airspace will be downgraded to an unprecedentedly unsafe operating environment then should we all not be just a little more concerned? When air traffic controllers are saying they will not be able to provide normal collision avoidance separation services because the new maps under this system are missing vital radio frequency boundary information should we not be asking more questions and examining how this issue can be addressed? The government needs to stop yielding to the influence of a small minority who seemingly control Australia’s airspace for their own personal use and to start listening to the experts and the people who actually use this airspace on a daily basis.

The issue of air safety cannot be held to ransom by this group. Although its members rightly argue that there is need for reform in airspace management, frankly I do not believe that should be at the expense of public safety. Around 1.2 million people fly in and out of Hobart and Launceston airports every year. Surely the safety of aircraft passengers should be the foremost priority in this debate. The vocal minority advocating the implementation of the National Airspace System argue that it works in the US and so why shouldn’t it work in Australia. It seems that there is one fundamental difference in the management of airspace in the US and the management of airspace in Australia and that is the fact that the US has 85 per cent radar coverage of its airspace across the entire country. Members of the House may be aware that Australia has some 15 per cent radar coverage, which covers the eastern seaboard area. Tasmania has no radar coverage under 20,000 feet and, with no guarantee that all the aircraft are talking to each other on the same radio frequency, management of airspace becomes very dangerous.

New Zealand has recently revoked this system because it found management of airspace was becoming too dangerous. In addition to this, many air traffic controllers in the United States, upon hearing Australia was to implement the National Airspace System, began warning against its use because it would be too dangerous. Why does the government insist on implementing a system that
is not supported by anyone in the aviation industry except a small, unqualified and unaccountable lobby group with lots of money?

This group, the Airspace Reform Group, is claiming that the implementation of the National Airspace System will save $70 million. This claim has already been discredited, and still the government refuses to back down from its potentially disastrous decision. I have the greatest respect for small-aircraft pilots who fly in and out of the airspace in Launceston and, whilst I know they are very familiar with the operating conditions and have a very good relationship with the tower staff, we can never be prepared for the maverick that comes in from elsewhere, does not know what they are doing and causes some significant aviation disaster.

It has further been identified that the government and the association plan to move control for a substantial amount of airspace—except for around the Launceston and Hobart airports—to the Melbourne control tower. I must confess that I have great concerns about this—and not, as members of the government have insinuated, because it is going to impact on staffing levels and therefore on some union member levels. The reality is that the same amount of staff will still be required in order to manage the airspace in the areas immediately around Launceston and Hobart. However, this decision will impact on the ability of local operators with local knowledge and local experience to make calls and judgments in relation to safety. It will also mean that when people enter those airspaces immediately around the airports it will be the first time that the air traffic control station really will have any responsibility or power to work with them. So I have to echo the concerns for safety of the people who are the experts. I like to feel very safe when I am in a plane, and I feel safe because I trust the pilot to know how to fly and I trust the air traffic controller to know how to manage the traffic of planes through to the ground.

Considering the statements made by both organisations recently, I no longer feel that I am going to be very safe flying in Tasmania after 27 November. The government needs to take control of this situation and address what are fundamental and legitimate concerns being raised by professional pilots and air traffic controllers. The implementation of the National Airspace System must be delayed until all safety concerns have been addressed and resolved. The travelling public in Tasmania deserves no less, and the travelling public around Australia deserves no less.

Local Government

Mr ROSS CAMERON (Parramatta—Parliamentary Secretary to the Treasurer) (5.41 p.m.)—I rise today to grieve the attempt by Parramatta City Council to impose a new $10,500 tax on purchases of newly constructed multi-unit dwellings in my electorate, under the guise of a housing affordability measure. Parramatta City Council is proposing the introduction of a new levy on all developers of multi-dwelling developments within the local government area, under what it describes as an inclusionary zoning measure, under which multi-unit developments would have to give up three per cent of the floor space of any new dwelling to Parramatta City Council for management at below-market rentals. The argument is that this measure is needed in order to maintain the diversity of the residential community of Parramatta and to maintain access to housing for those on lower incomes.

This is a measure I regard as being probably well-intentioned. However, it will have adverse and unjust consequences for the vast majority of the residents of Parramatta and in particular for new home buyers. I say that because we know from research conducted by the Urban Development Institute of Aus-
tralia that a disproportionately high number of purchasers of new dwellings are first home buyers. In fact, in a study conducted by the institute in 1999, they found that over one quarter of new dwellings were purchased by first home buyers, even though first home buyers represented a significantly smaller proportion of the total number of those people purchasing dwellings.

Perhaps one explanation for that is that in the decade between 1989 and 2000 the price of a new project home increased by 23 per cent compared to the rise of 53 per cent in the price of an established home. What we see is that the newer dwellings—both project homes and multi-unit developments—tend to be more affordable for first home buyers. Indeed, this government has taken a number of measures to try and make housing more affordable for those first home buyers. Among those measures is the first home owner grant—currently at $7,000—which is specifically intended to compensate first home buyers for the GST cost that applies to the materials involved in the construction of new dwellings.

Perhaps the more significant thing we have done—by astute and prudent management of the economy, particularly of the public finances—is that we have managed to reduce interest rates to a 30-year low, which is where they currently stand and where they have stood for some time. This has made access to finance much more widely available. But, at the very time the Commonwealth has been working to make housing more affordable, we find that at both the state and local government levels there seems to be a determined effort to place housing, particularly new housing, beyond the reach of young Australians. This measure is one among a series which I would put in that category.

It is suggested that developers will simply absorb the cost of this new three per cent tax—or $10,500 on the cost of an average new dwelling, which totals $350,000 in my electorate. The reality is that there will be no way to ensure that the costs are quarantined to the developer; they will certainly be passed on to the purchaser. There is no mechanism available to ensure that that transfer does not take place. We could ask ourselves whether it is just, equitable and fair to impose it on the developer. Developers have been the target of quite a bit of hostility. In fact, it is my view that development, soundly managed according to appropriate guidelines, powerfully enhances the quality of a neighbourhood and lifts property values.

In Sydney, we have seen a transformation in many local communities, and Parramatta has been at the heart of that transformation. Developers have to face quite an ordeal at the moment. In Parramatta right now there are 800 development applications sitting in a queue waiting to be processed by Parramatta City Council. You can imagine the cost of the delays involved. The official line is that there are six- to nine-month delays to have a development application considered. The anecdotal evidence is that it takes consider-ably longer than that. One developer in Parramatta told me that he recently sold five projects without beginning construction or getting the development application approved simply because he could no longer afford the finance costs of holding the undeveloped properties. This is a factor which Parramatta City Council might consider as they propose this new three per cent tax on new dwellings. If they could reduce the backlog of 800 development applications and increase the speed at which they process applications, they would significantly reduce the cost of new housing.

I now want to talk about the diversity within my electorate. Over 30 per cent of the
people in my electorate speak a language other than English at home. When I attend the citizenship ceremonies in Parramatta, I find there is barely a white face to be seen in the crowd. We are seeing an extraordinary diversity and vibrancy as newer migrants make a beeline for Parramatta. This is due in part to this government’s sterling economic management which has resulted in an unemployment rate for Parramatta of 4.4 per cent. When I was elected in 1996, it was just under 14 per cent. In the eight years since the Howard government came to office, we have seen a fall in the unemployment rate in Parramatta from 14 per cent to 4.4 per cent. In the Baulkham Hills local government area, the unemployment rate is down to 3.5 per cent; in Holroyd, it is at 5.5 per cent. So the average is a little over four per cent. That is my idea of an affordable housing strategy: to give people access to jobs and employment.

We have an affordable housing strategy in the form of the New South Wales Department of Housing. The New South Wales government currently has 100,000 people on the waiting list for public housing and an admitted backlog of $1 billion in maintenance obligations to its current tenants. That is $1 billion worth of maintenance work which has not been done because, as in the area of water management, the government is happy to take dividends out of organisations but is hugely reluctant to invest in the key assets of government. This New South Wales government has seen an extraordinary increase in revenue from stamp duty. In 2000-01, the New South Wales government took $1.9 billion in stamp duties. The next year, it took $3.6 billion—a 37 per cent increase; a massive financial windfall. This year, 2002-03, it will receive $3.6 billion—that is another 17 per cent increase. We are seeing the New South Wales Treasury sloshing around with the revenues that flow from this massive boom in property in Sydney.

What is the government’s response to that? ‘Let’s introduce a new three per cent tax on affordable housing in areas like Parramatta.’ This initiative has been strongly supported by Minister Craig Knowles.

I think it is an unjust and inequitable tax on the people in my electorate. In my electorate there are households where both members go out to work. They are working extremely long hours and they are making great sacrifices in order to make their housing more affordable. And now Parramatta City Council turn around and introduce a new three per cent tax. My strategy for affordable housing is: let’s keep interest rates low; let’s keep the economy growing and generating opportunities for jobs; let’s reduce the tax on the GST components of a new house as a consequence of these new revenue measures the New South Wales government has introduced; let’s repay the $1 billion backlog on the existing stock of public housing; and let’s get Parramatta City Council to start processing its DAs more efficiently. (Time expired)

**Addresses by the President of the United States of America and the President of the People’s Republic of China**

Mr JENKINS (Scullin) (5.51 p.m.)—It has been 12 days since the joint sitting that hosted the visit by George W. Bush, President of the United States, which was followed the next day by the visit by Hu Jintao, President of the People’s Republic of China. It is a bit much to expect that those two days should have been discussed much in the parliament, given that today is the first day of sitting for the House of Representatives, although the Senate did sit last week. Today the only reference so far has been a question quite rightly put by my colleague the honourable member for Cowan about the lack of an invitation to the widow of SAS soldier Andrew Russell at the wreath-laying cere-
mony during President Bush’s visit and then a series of questions following the statement by the Speaker after question time relating to some incidents that happened on those two days.

Today I suspect that there will not be much opportunity to sit down and properly discuss the substance of the speeches made on those two days. It is important that, if we are to go forward as a national parliament and understand Australia’s place in the global community, after such visits we as a mature democratic institution should at least sit down and thrash out the issues that were raised as part of the visit and, perhaps even more importantly, the issues that were not raised during the visits.

It is ironic that as the comments were being made at that time—some 12 days ago—a conference was going on in Madrid to look at ways in which countries and the international community could put in place a pool of resources that would ensure proper reconstruction in Iraq. Secretary-General Kofi Annan spoke at the International Conference on Reconstruction in Iraq. He encouraged peoples and countries to be involved in the funding for what he described as Iraq’s monumental needs. Kofi Annan said:

... we all look forward to the earliest possible establishment of a sovereign Iraqi Government. But a start on reconstruction cannot be deferred until that day; it demands our urgent attention now.

Of course, quite rightly, the US Secretary of State, Colin Powell, was at that conference and placed on the record the United States’ views about the efforts that were being discussed.

As I have had the opportunity to say in other debates—regrettably, mostly in the run-up to Australia’s involvement in Iraq—it was always going to be the efforts that we came together to make in the winning of peace that were going to be the hardest part of the task. I remember saying that the irony would be that inevitably it would be through the actions of the United Nations and their involvement that we would see the most positive steps forward in the way these things could be resolved.

So it dismayed me when 12 days ago there was no great reference to Security Council resolution 1511, which was adopted on 16 October, about the Security Council’s views of going forward in Iraq, noting the events that had happened in recent times. It was not in any way indicating that this was an easy ask or an easy task, but it was showing that, through the willingness of the wider global community, efforts could be made to address the problems that need to be addressed in present day Iraq. But, sadly, at the UN conference in Madrid the UN Emergency Relief Coordinator, Jan Egeland, was indicating to donors that insecurity is severely hampering the ability of the United Nations to operate and monitor its assistance to the Iraqi people. He went on to say that the two key priorities that the humanitarian community needs to aim for over the next few months are to ensure the basic needs of the most vulnerable Iraqis are met and to build the capacity of Iraqi institutions to service the needs of their people.

We now see that since the visit of President Bush there have been continuing events in Iraq. We see now the withdrawal of UN agencies and other non-government organisations because of the concerns about the security of those workers. We all would agree with—and nobody would dispute—the comments made during the visit, and the speeches that were made in this place, about Saddam Hussein; no-one who cares about human rights would really be mourning. As George Bush said:

Today, Saddam Hussein’s regime is gone, and no-one should mourn its passing.
That was underscored when the Prime Minister said:
I know that all Australians believe that the people of Iraq are better off without that loathsome dictator, Saddam Hussein.

I think that that is not something that needs debate. When a demagogue like Saddam Hussein is moved on and got rid of, it is important. But I still think that there is a need to discuss the way in which that was carried out and the way in which the effort that led to that outcome was put forward to people. I have said in other speeches in this place that my great concern is that the next time the Australian community are asked to go along with such an effort, because there will perhaps be greater questioning on the basis of the type of information that was used in the run-up to the present action earlier this year in Iraq, perhaps they will not be as cooperative.

The other aspect is that it underscores a fundamental difference, and I am pleased that we are able to, in a mature way, demonstrate that in this chamber. Across the political divide in this robust parliament, as the Prime Minister likes to describe it, there were people who disagreed with the Australian government’s actions in supporting the United States administration’s efforts. Likewise, we should acknowledge that in the United States there is a difference of view, and we should not just consider that the President’s view is held by all the people in the United States. There is a difference of view. It is good to see that those matters are discussed and debated.

But I regret that I do not see the proper continuing debate here in this parliament, the Australian parliament, on those issues. We had no discussion about UN Security Council resolution 1511. We have had little discussion about the efforts in Iraq’s reconstruction. We have had little discussion about Australia’s place as an independent nation. The Leader of the Opposition in his speech on the day of President Bush’s visit said:
... Australia looks to itself; to the self-reliance of a proud, a free, a strong and an independent people.

The Australian perspective is bound to differ from time to time from the perspective of the United States. Of course, on occasions, friends do disagree—as we did, on this side, with you on the war in Iraq.

But the important thing is that, when the relationship and the friendship are developed, it means we can have these differences and this discussion. This was illustrated by the next day’s visit by the President of the People’s Republic of China. That is another nation where we have to develop the contact and friendship so that when we disagree, because we disagree as friends, we can have the debate.

There is no good in people discussing what the reaction was to a single speech by the President of the United States. Mr Deputy Speaker Hawker, as you are aware, I was one member of this place who was in two minds about the appropriate response. I hope my response was seen as gracious. I am proud that a number of my colleagues and I were able to sign a letter that was delivered to Condoleezza Rice that enabled us to set out our position on the United States’s and Australia’s involvement in Iraq. But, as the Hansard of the day indicates, at the end of the President’s speech:
Members and senators rising and applauding, the Honourable George Walker Bush left the chamber.

Some did not, but some did it with great alacrity. That really did concern me, because I do not think that that was the proper way we should have responded. I had hoped that we would get to debate the speech, which is a much better response. (Time expired)
Indigenous Affairs

Mr ENTSCH (Leichhardt—Parliamentary Secretary to the Minister for Industry, Tourism and Resources) (6.01 p.m.)—I would like to raise an issue in relation to Aboriginal health and education in my electorate of Leichhardt, an electorate that I proudly represent. It has about the third largest population of Indigenous people in Australia. In August this year I had the privilege of attending a land and health summit in Cape York at a place called Beagle’s Camp, a short drive out of the western community of Aurukun. I was with the Prime Minister and Minister Philip Ruddock. I had the opportunity and the privilege to listen to a speech made by a young woman, Tania Major, the youngest ATSIC commissioner at 21. She was appointed in October 2002.

While we have opportunities to hear issues raised in relation to problems experienced in Indigenous communities, I do not think that the impact that has can be anywhere as profound as it is when it comes from the mouth of a person who has to live that life on a daily basis in these communities. As a consequence, I would like to read into the parliamentary record the speech that was presented by Tania, to highlight the problems that currently exist in these communities. The speech was entitled ‘Cape York on Youth and the Future’. Tania says:

I would like to acknowledge the traditional owners of this land and those who have worked so hard to put this important summit together.

And what an opportunity!

Here I am: a young Cape York woman addressing the Prime Minister of Australia directly.

The fact that you are here today, Mr Howard, is largely due to the hard work and vision of our leaders.

We are proud of their efforts. Especially I want to mention Noel Pearson. He has been my mentor and contributed to paying for my education.

We are also proud of the efforts of our elders who have struggled to keep our culture alive.

I thank you for coming here today and acknowledge that your visit might signify the start of a new era in Cape York Peninsula’s Aboriginal governance.

I say might, because there is a huge job in front of us and if we are going to succeed we need your commitment as well as our own. I hope this is truly the start of a new relationship between Government and Cape York Peninsula people.

In less than 60 years the people of my tribe have gone from being an independent nation to cultural prisoners to welfare recipients.

Is it any wonder that there are so many problems facing indigenous Australians today?

Prime Minister, I want you to gain a brief picture of the life of young people in our communities.

When I was growing up in Kowanyama there were 15 people in my class.

Today I am the only one that has gone to University let alone finished secondary education.

I’m also the only girl in my class who did not have a child at 15. Of the boys in my class seven have been incarcerated, two for murder, rape and assault.

Of the 15 there are only three of us who are not alcoholics.

And, Prime Minister, one of the saddest things I must report to you is that four of my classmates have already committed suicide.

Now if this paints a grim picture of community life for you, it should.

Life as a young Aboriginal person is not easy, in any setting.

Life for a young Aboriginal woman is even harder. We have to fight for respect from every one.

The story of my fellow students is a lesson in the magnitude of the problems that young indigenous people in Cape York face.

The two issues that, in my opinion, are central to changing this story are education and health.

And your Government’s policies affect these things.
Two months ago I told the Queensland Principals conference that the levels of literacy and numeracy are very low in Aboriginal communities. I told them that when I went to school in Brisbane it was as if I had missed out on my primary education.

There is a huge gap between what we get in communities and what other kids get in cities. I got straight A’s in Kowanyama but when I got to Brisbane I was getting C’s and D’s. It really goes to show that there was something seriously wrong with the education system in our communities.

One of the problems facing education in remote Indigenous schools is that teachers tend to be just out of training and generally stay only for a year or two. There was not one teacher who stayed for the whole of my nine years at school, even the principals. On top of the racism that Aboriginal people face every day of our lives this seeming lack of commitment by teachers makes you feel they don’t care.

Prime Minister we need to review the curriculum in these communities because it’s pitched at a very low level. I have had to draw the conclusion that governments and educationalists see us as less than white people.

It was really sad to go to school in my community because the attitude in the whole community was that ‘white kids are much smarter than me’. How can the education being offered to our young people be justified?

Education should be uplifting not serve to reinforce lack of self-esteem and the heart wrenching low expectations that my mob suffer from. If we cannot get education right then we are doomed.

We need a massive re-assessment of education policies and an equally massive investment in education. Governments have let down most of my classmates. Noel Pearson helped me to an education, but most young people won’t be assisted by a sponsor.

I got a chance in my life, worked hard with support from family and friends and today I stand before you as a qualified criminologist. All across Cape York I see and meet young Murris; smart, brave, compassionate, talented and beautiful.

What is missing from their lives is an education that promotes self-confidence and drive. With these qualities, hundreds of Cape York Peninsula Murris could be the next group of doctors, lawyers, painters, mechanics, criminologists or engineers.

We have spent so long listening to some whitefellas telling us we are stupid, lazy no-hopers that the majority of my people actually believe it. The relationship between poor education and poor health is clear. People whose self-esteem and pride have been decimated by a sub-standard education system and a social system that creates an addiction to passive welfare have little reason to live healthy lives.

Prime Minister, our health is getting worse not better. The policies that determine the delivery of health services are deeply flawed by a bureaucracy that does not want to let go and hear our voices.

Health services are too often confined to the clinic. It’s patch ‘em up and spit ‘em out kind of health regime.

In Kowanyama we had the only doctor based in a Cape York Aboriginal community. She left two weeks ago because the Queensland Health bureaucracy did not support her. Her practice epitomised the sort of health system we need.

She took health out of the clinic and into the lives and homes of community people. She took her responsibilities to serve the community seriously and now she’s gone. Another blow to my community’s already low morale.
Prime Minister, it’s problems and challenges such as the ones I’ve described to you already that led me to stand in last October’s ATSIC election.

I decided to run because I believe ATSIC provides a great opportunity to advocate for my people; to have a say in distributing funding throughout Cape York Peninsula and influence State and Federal Government policy decisions that affect me and my people.

It is great privilege for me to represent my community and I hope that with experience I will be an effective ATSIC Councillor.

I know that in the coming months your Government will decide the future of ATSIC and I hope that you will understand that ATSIC is more than the Board of Commissioners and the Canberra bureaucracy.

ATSIC is also people like myself and my Chairperson Eddie Woodley. People who are from community and work hard for community.

Prime Minister, we recognise that Governments cannot solve our problems for us.

As young people we are trying to take responsibility for our future.

We are working with our Elders to address the terrible problems of grog, illicit drugs and violence. We are working hard to create economic, training and employment opportunities for ourselves.

We are supporting our fellow young people to achieve their potential.

Mr Howard, I ask not that you fix these problems for us but that you and your Government see us as equal partners in the huge task of rebuilding our families, communities and Cape York Peninsula.

The fact that you are here today is a good start in the process of change and I urge you, as a fair minded man, not just as Prime Minister, to become part of the solution.

I stand up here as a proud Aboriginal woman, a Kokoberra woman as well as a criminologist and I thank you for your time and attention.

I do not think anybody could have made a statement as powerful as that one from a wonderful young woman. The statistics that she was able to reflect on in her own class of 15 are an indictment of the failures that we have seen over many, many years in dealing with the delivery of services to Aboriginal communities. One of the problems that has happened through successive governments is that there has been a continued tendency to gauge the level of success and commitment to Aboriginal communities by the amount of money that is being spent on those communities rather than gauging the success by the outcomes that are delivered by that investment of funds. I encourage people to start to rethink the way in which we do this and judge it on outcomes rather than simply on dollars spent.

The DEPUTY SPEAKER (Mr Hawker)—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.

FAMILY ASSISTANCE LEGISLATION AMENDMENT (EXTENSION OF TIME LIMITS) BILL 2003

Consideration of Senate Message

Consideration resumed from 14 October.

Senate’s requested amendments—

(1) Schedule 1, item 1, page 3 (line 9), omit “2”, substitute “3”.

(2) Schedule 1, item 2, page 3 (line 31), omit “2”, substitute “3”.

(3) Schedule 1, item 3, page 4 (line 5), omit “2”, substitute “3”.

(4) Schedule 1, item 4, page 4 (line 8), omit “3”, substitute “4”.

(5) Schedule 1, item 5, page 4 (line 10), omit “3”, substitute “4”.

(6) Schedule 1, item 6, page 4 (lines 12 to 29), omit “2001” (wherever occurring), substitute “2000”.

(7) Schedule 1, item 7, page 5 (line 6), before “2001-2002”, insert “2000-2001 or”. 
Mr ANTHONY (Richmond—Minister for Children and Youth Affairs) (6.11 p.m.)—I move:

That the requested amendments be not made.

The schedule of requests from the Senate for the amendments to the Family Assistance Legislation Amendment (Extension of Time Limits) Bill 2003 involves extending the time limits for making past period claims and for payments of top-ups by a further 12 months. The changes would also allow the tax file number link between Centrelink and the ATO that facilitates the reconciliation process to remain open for an additional 12 months. Consequential changes consistent with the further 12-month extension are also requested for the application provisions in the bill so that the amendments cover the 2000-01 income year and the Income Tax Assessment Act 1997.

The government opposes these changes to the bill. The bill already gives families an extra 12 months in which to make family tax benefit and child-care benefit lump sum claims and to receive a top-up payment of family tax benefit. This will give families up to two years after the end of an income year to claim their entitlements. Two years is a very generous timetable, particularly when compared to time frames applied to other welfare payments. Extending the time frame by an additional 12 months—that is, giving customers three years to claim or receive a top-up payment—is not needed. The majority of customers lodge within two years of the end of the income year. As well, the proposed amendments would weaken the purpose of the payment, which is to assist with the cost of raising children. Families need this support when they are raising children, not three years later.

In relation to extending the time frames to the 2000-01 income year, it would not be possible to identify all family tax benefit customers who missed out on lump sum payments or top-ups to their family tax benefit as a result of lodging their tax returns late for the 2000-01 income year. This is because the tax file number link between Centrelink and the ATO that facilitates the income reconciliation process for the 2000-01 income year has already been broken in accordance with the current legislative requirements.

Mr SWAN (Lilley) (6.14 p.m.)—I request that the amendments to the Family Assistance Legislation Amendment (Extension of Time Limits) Bill 2003 be made, because families under financial pressure simply can not afford this government, and there are two key amendments which ease that financial pressure. What we have here is a family payment clawback that makes Ned Kelly look like Santa Claus. Families pay more tax and get less in family payments under this government, and then they are expected to pay more and more for the health and education of their kids. The $1 billion black hole, which was highlighted in today’s question time, has been saved by stripping it from the payments of hardworking Australian families. The answer that Minister Anthony gave today shows how mean and tricky the government is prepared to be to cover up its withdrawal of much needed family payments.

Last year, 2002-03, the Howard government spent $1 billion less in family tax benefit and child-care benefit than it forecast. This system has an inbuilt automatic clawback that ensures that families never get what they expect, and this goes to our two amendments. First of all, people who needed a catch-up, not a top-up, in the first year of operation have been denied it, costing them $37 million. That is $37 million that has been ripped from those people because of
this mean legislation. So one of our amendments goes to the core of that.

The second amendment goes to stopping the stripping of tax returns which so far, to our knowledge, have been stripped from 230,000 Australian families. We are constantly told by this government that this is a generous system. How generous it was in 2000-01, when it came in. It was so generous that families were to be compensated much more than the cost of the GST. We now know that it is $1 billion less than the government has claimed. In fact, if you look at some of the new analyses of this payment system you will see that families receive in real terms $212 million less in family tax benefit than they did in the first year of its introduction. That is, in real terms there is now less money after three years of operation of the system than there was originally, plus families have been saddled with the GST, plus they have been saddled with extra costs of education, plus they have been saddled with extra costs of health care. That is why families feel under tremendous financial pressure. So tax is up, family payments are down and family budgets are squeezed.

Today in question time the minister produced a typically mean and tricky answer to explain this clawback, which goes to the very heart of our amendments. He asserted that the clawback happened because of stronger than expected growth in wages. He said that it came about because of the means testing of benefits. That was a lie. The problem is that the initial budget forecast of wages growth for that year was 4.2 per cent and it was downgraded by the Treasury to 3.25 per cent. So wages grew less than was anticipated. The government took $1 billion out in the last financial year and it says that it happened because wages grew more than it thought they would. It was simply a lie. That is why there is an enormous clawback which goes to the fundamental problem with this bill, which is that there are parts which automatically take payments off families who are entitled to them. Families need these payments to feed, clothe and educate their kids on a weekly and fortnightly basis.

When the minister spoke to the amendments he had the hide to say that we could not provide the catch-up, not the top-up, to families for 2000-01 because that need had passed, yet he refuses to change the debt trap in the system and says, ‘It’s okay; families should take less on a yearly basis and claim it at the end,’ as a justification for the fact that it is a debt trap. It is a family payment clawback. It is one of the biggest fiddles that have ever been imposed on Australian families in the history of this nation. The government is quite prepared to pay family payments to millionaire families but when it comes to average families it will not pay a category of the catch-up payments. When it comes to the broad mass of families, they are all being saddled with debt.

This government’s family payment debt trap is tearing the heart out of family budgets and placing parents under great financial stress. It is hitting one in three families. The average debt is $900. That is why these amendments must be passed—to stop the government thieving back this money from people’s tax returns. That goes to our amendment about stripping. This government is like a thief in the night. It is building its surplus on the hard work of Australian families—(Time expired)

Question put:
That the motion (Mr Anthony’s) be agreed to.
The House divided. [6.24 p.m.]
(The Deputy Speaker—Mr Hawker)
Ayes........... 74
Noes........... 60
Majority........ 14
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Question agreed to.

PARLIAMENTARY ZONE

Approval of Proposal

Mrs DE-ANNE KELLY (Dawson—Parliamentary Secretary to the Minister for Transport and Regional Services and Parlia-
That, in accordance with section 5 of the Parliament Act 1974, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 15 October 2003, namely: Forecourt scoria restoration, Parliament House.

This motion proposes the restoration to the forecourt area at the front of Parliament House. This project has arisen due to the movement and failures of finishes in the Parliament House forecourt. It has been an ongoing problem since construction and is now at a stage where the unsightly displacements, with cracking and undulating finish, are becoming hazardous to foot traffic and a disruption to the visual aspect which is required for official occasions.

Under section 5 of the Parliament Act 1974, the Presiding Officers are responsible for works within the parliamentary precincts and the Minister for Regional Services, Territories and Local Government is responsible for other works in the parliamentary zone. Accordingly, this motion is moved on behalf of the Speaker and the President. The works are expected to cost in the vicinity of $1,250,000 and will be funded from the Joint House Department administered funds appropriation. The National Capital Authority has given works approval and, given the nature of the works, the Presiding Officers did not think it necessary to refer the matter to the Joint Standing Committee on the National Capital and External Territories for inquiry and report. I commend the motion to the House.

Question agreed to.

ASSENT

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

ACIS Administration Amendment Bill 2003
Customs Tariff Amendment (ACIS) Bill 2003
Australian National Training Authority Amendment Bill 2003
Migration Legislation Amendment (Sponsorship Measures) Bill 2003
Vocational Education and Training Funding Amendment Bill 2003
National Residue Survey (Customs) Levy Amendment Bill 2003
National Residue Survey (Customs) Levy Amendment Bill (No. 2) 2003
National Residue Survey (Excise) Levy Amendment Bill 2003
National Residue Survey (Excise) Levy Amendment Bill (No. 2) 2003
Taxation Laws Amendment Bill (No. 3) 2003
Crimes (Overseas) Amendment Bill 2003
Sex Discrimination Amendment (Pregnancy and Work) Bill 2003
Workplace Relations Amendment (Fair Termination) Bill 2003
Civil Aviation Amendment Bill 2003
Statistics Legislation Amendment Bill 2003
Taxation Laws Amendment Bill (No. 8) 2003
Communications Legislation Amendment Bill (No. 3) 2003

SUPERANNUATION (SURCHARGE RATE REDUCTION) AMENDMENT BILL 2003

Consideration of Senate Message

Message received from the Senate returning the bill and acquainting the House that the Senate does not insist upon its amendments disagreed to by the House.

SUPERANNUATION (GOVERNMENT CO-CONTRIBUTION FOR LOW INCOME EARNERS) BILL 2003

Consideration of Senate Message

Message received from the Senate returning the bill and acquainting the House that the Senate does not insist upon its amendments disagreed to by the House.
Consideration of Senate Message

Message received from the Senate returning the bill and acquainting the House that the Senate does not insist upon its amendments disagreed to by the House.

BILLS RETURNED FROM THE SENATE

The following bill was returned from the Senate without amendment or request:

Telecommunications Interception and Other Legislation Amendment Bill 2003

AGE DISCRIMINATION BILL 2003

Cognate bill:

AGE DISCRIMINATION (CONSEQUENTIAL PROVISIONS) BILL 2003

Second Reading

Debate resumed from 26 June, on motion by Mr Williams:

That this bill be now read a second time.

Mr McCLELLAND (Barton) (6.33 p.m.)—I acknowledge the presence of the Attorney-General in the chamber and I thank him for his courtesy. Age is very much a defining feature of who we are. Our chronology can have an enormous bearing on many of our characteristics. Through the various stages in our lives—from infancy to childhood, adolescence to adulthood and middle age—our physical and mental qualities change with time. Age does, at certain stages in our life, also demand special treatment, recognition and sometimes protection. We would all accept that. It is frequently said that how a nation treats its young and its elderly is an indication of how civilised it is, and we accept that proposition.

Many current stereotypes about age-related characteristics are wrong, misconceived and hurtful. Notions of younger adults being irresponsible and older persons being inflexible, hard to train and not adaptive are frequently generalisations that have no reflection of reality and often deprive both industry and the individual of considerable opportunity. Our economics and our advancement demand that the attitudes and myths that perpetuate negative age discrimination are shattered. It is in this task that the government should lead, and we note that the substance of the Age Discrimination Bill 2003, albeit with some changes, is supported by the opposition. All states and territories have already outlawed age discrimination and, while the federal government is the last to act, we believe that late is better than not at all.

Law reform is a powerful tool that can do much to eliminate prejudices. In itself, it can reflect community aspirations that help mould conduct so that those aspirations become standards. A generation ago, laws prohibiting sex, race and other ill-founded bases for discrimination wiped out many stereotypes that were largely unquestioned. One only needs to go back a little over two decades to be in an era where certain jobs were reserved for males and others for females. As late as 1980, a woman called Deborah Wardley was still involved in a fight that went all the way to the High Court to be allowed to pilot a commercial aircraft. She won that fight. Right up until the 1980s, job advertisements were segregated into women and girls, and men and boys. In the former category were positions like secretaries, sales assistants and nurses, and in the latter category were truck drivers, carpenters and managers.

The move to eradicate age discrimination has come more recently, and there is still much to do. Until relatively recently, it was
not uncommon for employers to set baseless age limitations for jobs. In our newspapers, it was easy to find employers expressly stating in job advertisements that applicants be under 40 or 45 years of age. These sorts of limitations had no rational basis, and they not only excluded worthy applicants but reinforced the message that age would dictate a person’s ability to perform certain work when such an assumption was nothing short of wrong and destructive of both the individual and the corporate talent.

Some of the quotes found in the Human Rights and Equal Opportunity Commission’s excellent report into age discrimination, entitled *Age Matters*, tell of the ageism in contemporary Australia. For example, one quote from a person stated:

I was registered for unemployment and when I asked why no jobs had been referred, I was told by a CES staff member that I was past my use by date …

Later, the report gives an account of a male teacher who applied for a subject coordinator’s position. He was asked why he did not seek the position 20 years earlier. In respect of accommodation, the report reproduces an extract from the Youth Affairs Network of Queensland, which says:

There is no legal reason that people under 18 years of age cannot sign a lease, however this is still cited as a reason for them not being leased flats, units and houses.

Age discrimination persists as a negative force that requires appropriate government attention and, as I said, that is supported by the opposition. In November 2001, the Human Rights Commissioner, Dr Sev Ozdowski, wrote:


Under New South Wales laws, age discrimination was the first most common ground for complaints in 2000-01 to the New South Wales Anti-Discrimination Board, making up nine per cent of complaints in total.

Not only are these views that promote age discrimination an affront to the dignity of older persons but also they impair the efficient functioning of the labour market. On a macro level, an ageing population has serious economic consequences for the Australian economy. Over the next 20 years, the growth in the Australian population of labour force age will be 14 per cent, but the number of people between 55 and 64 years of age is expected to increase by over 50 per cent. On an international scale, participation in the Australian labour market stands at relatively high rates for young workers but low rates for older workers. For older Australians, the labour market is not serving them well. This proportion is exemplified in the disappointing reality that Australia has the highest unemployment rate for men aged 55 to 59 of any country in the OECD. So there is a real cultural barrier to be overcome in that respect alone.

What these statistics bear out is that the case for human rights goes beyond legal niceties. Human rights do more than achieve the noble objective of upholding the dignity of individuals. Respect for fundamental human rights pays significant economic and social dividends as well. Recalling the comparison to sex discrimination, the rise in female participation in our labour force has been a significant contributor to our rising economic prosperity. Not only can women now fulfil their potential and aspirations but also industry has an enlarged pool of skilled labour. The higher labour participation rate of women significantly boosts the gross domestic product of Australia.
Demographers have charted how our growing life expectancy and declining birth rates are changing the population profile. As a nation, our average age is increasing. It is predicted that, between 2011 and 2031, the number of people aged over 65 in Australia will grow from three million to five million. Over this period, the number of persons over 85 years of age will almost double, to 1.1 million. This will be in most of our lifetimes. Perhaps more dramatic than these figures is the slowdown in the rate of work force growth. Between 1978 and 1988, the work force grew by 23.5 per cent. In the succeeding decade, the rate fell to 17.1 per cent. Over the decade 2000-10, the rate will dwindle to just 13.8 per cent. So, from 1978 to 2010, it will go from 23.5 per cent down to 13.8 per cent—a significant decline.

These trends point to a significant shift in the ratio of those who work to those who are in retirement. This will put an increasing strain on the economy, and it will be necessary to find the resources to fund retirement incomes and deliver wealth and fundamental services to other segments of the population. However, as pointed out in the bill’s explanatory memorandum, an increase in 10 percentage points in the work force participation of Australians aged 55 to 70 years of age would largely cancel out any negative effects of an ageing population. It is therefore in everyone’s interests to seek to increase labour force participation amongst older workers, not by way of necessity but by way of creating opportunities equally for senior Australians as for young workers.

Of the various means pointed towards this goal, such as retraining programs for older workers, altered retirement income policies and so on, it remains essential that we as a society break down those views that perpetuate age discrimination and promote a culture that effectively locks people out of those opportunities which benefit not only themselves but, as I have said, the nation as a whole. On this front, Labor welcomes federal age discrimination legislation, just as there already exists complementary state, territory and federal antidiscrimination legislation in respect of sex, race, disability and other grounds. The addition of federal legislative protections against age discrimination will signify the complete and comprehensive rejection of negative age discrimination by all Australian governments.

However, there is considerable scope for the government, we believe, to improve in respect of this bill, and I will address those areas. Labor hopes that the government will indeed accept our amendments that will, firstly, extend the operation of the bill to relatives and associates. These will be debated, I understand, at a later stage in the Main Committee. The prohibition of age discrimination to a person’s relatives and associates was considered by the government, but we understand it was rejected. The government’s information paper on the bill contained a passage that said it would be inappropriate. But, regrettably, we fear that, in the rejection of that proposal, perhaps the government has been overly influenced by employer organisations, or at least certain ones, without regard to the broader interests of the community.

It is not difficult to envisage, for instance, where discrimination on the basis of the age of a relative or an associate may arise—for example, in an employment situation where an employer discriminates against an employee who cares for an aged relative, because of an apprehension by the employer that the employee will need time off to attend to the needs of that relative. Another situation might be that of a hotelier not allowing parents with young children to stay as guests, because of the hotelier’s anticipation of unruly behaviour by children. Labor takes the view that the Commonwealth legislation
should set the standards and not merely provide the lowest standards of protection. I might add, Mr Deputy Speaker Price, that neither you nor I would have unruly or difficult children. I say that with my fingers firmly crossed! But Labor takes the view that the legislation should set the standards and not merely provide the lowest standards of protection. We believe that the government’s capitulation, perhaps, to some of those more limited interests has impeded what would be effective operation in that area.

We believe that another inadequacy with this legislation is the government’s choice to water down the test for whether particular conduct constitutes age discrimination, by requiring that age discrimination be the dominant reason for the conduct complained about. This is a significant issue; it is an issue of substance. The requirement that age discrimination be the dominant reason is a much harder test than that which applies, for instance, under the various state and territory laws dealing with age discrimination. Generally in antidiscrimination laws the relevant test is met even if the discriminatory action is only one of several reasons for the conduct that is the ground for the complaint. The provision in the New South Wales Anti-Discrimination Act is a good example. Section 4A provides:

If:

(a) an act is done for two or more reasons, and
(b) one of the reasons consists of unlawful discrimination under this Act against a person (whether or not it is the dominant or a substantial reason for doing the act),

then, for the purposes of this Act, the act is taken to be done for that reason.

So probably the most significant amendment we will be moving seeks to have included in the act a test that age discrimination is one or more of the reasons, as opposed to the dominant reason, for the discrimination.

The government’s reasons for the more difficult threshold to maintain the complaint are, we believe, not based on sound reasoning and, indeed, are at odds with the government’s rationale for bringing forward the legislation as a whole. We note that the government’s case for introducing the legislation is said to be as follows:

If the status quo is retained, older Australians and younger Australians would bear the cost of ongoing discrimination, suffering the effects of marginalisation, unemployment or under-employment, damage to self-esteem, reduced social participation and reduced access to goods and services. The community would also lose the benefits of diverse contributions to society by people of different age groups.

Labor agrees with those sentiments entirely. In weighing up the case for legislative reform in this area, the government reasoned:

The self-regulatory measures suggested in Option 2 are not appropriate for the problem of age discrimination as they do not provide an adequate remedy. Legislative mechanisms for providing protection against age discrimination would appear to be the optimum way of dealing with the problem.

Similarly, simply retaining the status quo, as suggested in Option 1, is not an appropriate option in this case. As noted above, there are gaps in the existing coverage of Commonwealth, State and Territory laws which would not be rectified by simply retaining the status quo.

Again, we consider that the government has advanced a compelling case for legislating to prohibit age discrimination at a Commonwealth level, and we agree with the argument it has advanced. But, in the execution of the legislation, the government has softened unnecessarily the impact in these important areas.

Age based harassment is the other area that we have concerns about in this legislation. The government’s position on age based harassment mirrors its position on relatives and associates. The government raised the
issue in its information paper but, after noting that only the Northern Territory specifically banned age based harassment, the government succumbed to business concerns over the issue and declined to ban age-based harassment in the legislation. Age based harassment is a real phenomenon that should be stopped. No more should young apprentices and junior staff be bullied and treated in a demeaning manner, and no longer should older Australians be subjected to derogatory taunts.

With the three amendments which we will be proposing at the detailed stages of the debate, we believe the operation of the Commonwealth’s age discrimination legislation will go from being perhaps the weakest in the land to being on par with the best. As amended by those proposals, we consider that the proposed legislation will be better able to fulfill its mission—one on which the government and the opposition agree—to protect Australians from negative age discrimination and to have a significant benefit in promoting tolerance and a culture of utilizing our nation’s best talent base, irrespective of a person’s age.

On the issue of exemptions in the legislation, Labor will reserve our judgment until the operation of the legislation has been considered in time. In this sense, we believe it is vital that the Human Rights and Equal Opportunity Commission have sufficient funding and resources to make that assessment on the operation of the legislation. As I have pointed out, having these measures operating effectively has not only social benefits but also economic benefits, and we believe that that should be a consideration in funding the important work done by the Human Rights and Equal Opportunity Commission. For this to happen, there must of course be no more cuts to the commission’s funding, and the government must respect the commission’s independence and integrity and let it get on with this work in its respected and objective way.

With Labor’s package of amendments, we believe the bill will become balanced, effective and should serve the purpose that it is designed to achieve. We are all susceptible to the effects of age, which regrettably we start to feel. They are something beyond our control. What is in our control, however, is the power to break down the stereotypes and prejudices that have held back those in our society who have every ability to make a contribution but have been dismissed simply because of their age. In conclusion, I move the second reading amendment that has been circulated in my name:

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 failing to ensure that federal age discrimination legislation contains the best standards of protection of older Australians, a failure which is consistent with its neglect of the human rights of all Australians, as evidenced by its introduction of legislation to weaken the Human Rights and Equal Opportunity Commission and other actions to wind back protections for Australian citizens”.

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

Mr Edwards—I second the amendment.

Debate (on motion by Dr Stone) adjourned.

BUSINESS

Rearrangement

Dr STONE (Murray—Parliamentary Secretary to the Minister for the Environment and Heritage) (6.54 p.m.)—I move:

That order of the day No. 4, government business, be postponed until a later hour this day.

Question agreed to.
OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS LEGISLATION AMENDMENT BILL 2003

Cognate bills:

OZONE PROTECTION (LICENCE FEES—IMPORTS) AMENDMENT BILL 2003

OZONE PROTECTION (LICENCE FEES—MANUFACTURE) AMENDMENT BILL 2003

Second Reading

Debate resumed from 5 June, on motion by Dr Kemp:

That this bill be now read a second time.

Mr KELVIN THOMSON (Wills) (6.55 p.m.)—The opposition support the measures contained in the Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003, the Ozone Protection (Licence Fees—Imports) Amendment Bill 2003 and the Ozone Protection (Licence Fees—Manufacture) Amendment Bill 2003. Australia have a proud record in the area of the control of ozone depleting substances. We have managed to meet the targets and deadlines proposed in the Montreal protocol and the subsequent upgrades and amendments to these protocols. In most instances, we have been able to meet targets ahead of time and to exceed the requirements. A continuing bipartisan approach and generally good cooperation from the private sector have been major contributing factors to our success.

It is only appropriate that Australia should be a leading nation in this area. Ozone depletion issues affected the Southern Hemisphere earlier and much more significantly than they did the Northern Hemisphere. High rates of skin cancer are already a public health issue in Australia and, indeed, continue as a major concern. Thinning of the ozone barrier increases the potential exposure to damaging UV-B light—the main causative factor. There are other effects as well. The cost-benefit ratio of one to seven in the review of the existing legislation speaks for itself.

Ozone depletion is an important problem, where the widespread adoption of international protocols has helped to limit the damage. Hopefully, the problem will be largely remedied over the next several decades. Most of the current indications are positive, although there are a few worrying signs. Records from the CSIRO station at Cape Grim in Tasmania are showing that most of the levels of the controlled ozone depleting substances are decreasing in the atmosphere. The unfortunate exception is CFC-22, which was the most used CFC and is the most abundant ozone depleting substance in the atmosphere. Although the rate of increase has slowed greatly, it is still increasing.

Continuing vigilance and adherence to strict standards will be required. It is unfortunate that, in this context, some wealthy nations are working towards a relaxation of some aspects of the protocols. Methyl bromide, for example, has a high ozone depletion potential. It is an important fumigant. We must try to avoid simply relaxing the controls to allow its continuing use, and I hope the government does not take a dodgy approach to the so-called critical use exemptions. There is an urgent need to research and find alternative fumigants.

There is a second area of concern associated with the release of human generated additions of gases to the atmosphere. The effects on climate change are now seen as significant and problematic by the consensus of scientists world wide. Weather patterns are starting to show significant change all around the world. The Beijing amendments, which we are dealing with here, extend the range of considerations from ozone depleting...
gases to others that do not cause ozone depletion but, equally, have the potential to contribute to atmospheric warming and climate change. The measures we are considering are largely concerned with the national implementation of these international protocols.

Concerns about global climate change affect all nations, perhaps some even more than Australia. We should not imagine that this is an issue that we can be slow in addressing. It is important that Australia show leadership and be at the forefront of measures designed to minimise the impact of our activity on the climate. The last seven or eight years have seen a significant change in weather patterns over, for example, South Australia. Although there have been previous severe droughts lasting a season or two, the current prolonged drought has been unprecedented in our records. Indeed, it would appear that the rain-bearing westerly airstream has moved southwards from our continent into the Southern Ocean. This is something that the member for Cowan might be familiar with in his part of the world—that is, the drying of the Perth climate when compared with what it experienced 20 and 30 years ago and before that.

Computer modelling of the weather, at the Bureau of Meteorology and elsewhere, has shown just such a pattern associated with an increasing influx of greenhouse gases into the atmosphere. Interestingly and perhaps disturbingly, the models show a similar effect when a cooler Antarctic stratosphere is factored in. Temperatures in the Antarctic stratosphere have fallen significantly with the local loss of ozone and it appears that these two factors have worked together to produce the recent changes. In southern Australia, only a small area in south-western Tasmania has received above-average rainfall over the last several years. The whole of the rest of the southern part of the continent—we are talking about south-western and Western Australia and around Adelaide and the vast majority of Victoria, so all of those areas and few areas further north—has had a succession of dry years; the driest on record for a large part of the region.

The atmosphere is a very thin and delicate region. Human release of substances to the atmosphere has produced measurable and observable changes in composition over a period of decades. Ozone depletion and greenhouse warming are two quite different problems but to some extent they feed one another and in many cases they are now being seen to combine to produce significant climate change. Human inputs to the atmosphere and their contribution to climate change are an urgent issue for Australia, an issue of enormous economic and social importance. It is vital that we take steps to reverse and, certainly in the short term, limit undesirable activities. This legislation is a very small contribution towards this goal. None of the substances included currently contributes significantly to atmospheric warming. They all have the potential to contribute if released in larger quantities. The substitute refrigerants that we have developed to replace the ozone depleting substances are, in some cases, capable of making a similar contribution to atmospheric warming. Careful monitoring of their use is an important and desirable part of limiting the harm, and that is largely what this legislation addresses.

The legislation itself should certainly not be seen as a solution to our climate change problems. We should always remember that the major greenhouse gases are carbon dioxide and methane. Steady increases in the level of these two gases in the atmosphere over the last century or so are responsible for over 90 per cent of the human generated change. The substances that are the subject of this legislation are potential contributors.
At present their effects are insignificant but if not controlled they might build up to a contribution of a few per cent and that could well be an important additional burden. But carbon dioxide principally and methane, as a second factor, are the substances whose emissions must be controlled. It is disappointing that, in spite of successful negotiations to obtain concessions for a number of special issues that affect Australia, this government has decided not to ratify the Kyoto protocol on climate change. That is worse than disappointing; it is shameful.

The amendments before the House have two main thrusts. The first is to extend the types of measures adopted for control of ozone depleting substances to other substances that have global warming potential. They cover most of the more direct and obvious replacements for the ozone depleting refrigerants and bring them under a similar regulatory regime. The second impact is to centralise the regulation into a single consistent set of rules for the nation. There are obvious advantages in terms of certainty and efficiency, particularly for enterprises that operate in several states or territories. The opposition support this thrust of the amendments in principle. We do have some misgivings about putting this kind of responsibility into the hands of a government that has shown in other areas that it is quite prepared to modify regulations and procedures and walk away from international protocols when they do not suit its prejudices. But if we do not take appropriate action to deal with human influences on global climate, effects that are already becoming apparent—and I will return to this issue—will amplify and we will have more drastic problems to deal with in years to come.

The original legislation was introduced by the Labor Party in 1989. The first bill which we are debating here, the Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003, continues the generally bipartisan approach which has been taken on this subject. The purpose of this bill, in amending the Ozone Protection Act 1989, is to establish a national regulatory scheme for the management of both ozone depleting substances and the synthetic greenhouse gases used as their replacements. It also implements the most recent amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer. The existing legislation has reduced Australia’s consumption of ozone depleting substances by over 80 per cent since its enactment back in 1989. To achieve this reduction, Australian industry has adopted a variety of ozone benign substances and technologies, including the synthetic greenhouse gases: hydrofluorocarbons and perfluorocarbons. These gases present no direct risk to the ozone layer but are potent greenhouse gases, with their emissions having an impact on the climate hundreds to thousands of times greater than emissions of carbon dioxide on a tonne for tonne basis. Although these gases currently comprise only a very small part of Australia’s overall greenhouse gas emissions, their use and emissions are on the rise as substitutes for ozone depleting substances. The explanatory memorandum asserts that amendments introduced by this bill will deliver on commitments to manage synthetic greenhouse gas emissions, as detailed in measure 7.2 of the National Greenhouse Strategy. The second reading speech asserts the amendments also implement the key recommendations of the government’s review of the Commonwealth’s ozone protection legislation under the national competition policy.

The two additional bills which are we are debating here, the Ozone Protection (Licence Fees—Manufacture) Amendment Bill 2003 and the Ozone Protection (Licence Fees—Imports) Amendment Bill 2003, extend the current payments applying to the manufac-
ture and import of prescribed ozone depleting substances to certain synthetic greenhouse gases and allow for an increase in payments. So what these bills are doing is extending the system in the existing legislation for licensing the import, export and manufacture of ozone depleting substances to also include the synthetic greenhouse gas replacements. They are designed to simplify the current regulatory arrangements—for end-use control of ozone depleting substances and their synthetic greenhouse gas alternatives—by replacing existing state and territory legislation with a single national framework. That framework will allow the government to enact regulations to target preventable emissions and adapt these controls over time to reflect changes in technologies and practices.

In implementing these controls, the government will draw upon industry expertise and experience, including through the use of industry boards. The second reading speech says:

The states and territories agree that replacing existing controls with the proposed nationally uniform approach should deliver environmental gains more efficiently, and realise benefits to industry in terms of increased certainty and consistency.

The bill reforms the current financial arrangements for the ozone protection program to establish the Ozone Protection and Synthetic Greenhouse Gas Account. The reforms will accommodate the additional regulatory responsibilities assumed by the government under this bill and increase transparency by consolidating all financial arrangements into one account. The new arrangements will, on a cost recovery basis, fund administration of the amended act and programs to reduce the environmental impact of ozone depleting substances and their synthetic greenhouse gas replacements.

The bills also implement the Beijing amendment to the Montreal protocol. The Beijing amendment requires a ban on the trade in, and manufacture of, bromochloromethane and a ban on trade in hydrochlorofluorocarbons with countries not committed to their phase-out. The explanatory memorandum outlines industry support for the bills on the basis that they provide ‘necessary certainty and consistency with regard to its obligations to effectively manage ozone depleting substances’.

There was support for the legislation from the Australian Fluorocarbon Council, which said that supporting the bills is a sensible and comprehensive approach to the matter. They said that the bills recognise that a least cost approach is the best way forward and that in this case reducing emissions will position our economy for the future. The Australian Institute of Refrigeration, Air Conditioning and Heating also said that the bills will provide Australia with a world-leading program for the control and management of ozone depleting substances and synthetic greenhouse gases. There was also support for the bills from Greenpeace and the Australian Conservation Foundation.

There was, however, some support for greater effort to move in the direction of increased use of natural refrigerants. Indeed, the Greenchill Technology Association indicated very strongly their belief that the bills ought to go further. They described the government’s approach as a necessary but not sufficient response to the problems caused by HFCs. They said that whilst trying to manage and control emissions is a laudable objective, emissions will continue to increase as they continue to be used. As it is far more effective to reduce emissions by using naturals instead, this needs to be the central thrust of the legislation. So there were some concerns about the legislation on the basis that we should be looking to move in the direction of natural refrigerants.
I believe that the concerns raised by Greenhill and by others are best addressed through the development of policy on natural refrigerants rather than through seeking to amend the bills before the House, because the bills before the House otherwise improve existing arrangements for the management of ozone depleting substances and synthetic greenhouse gases. I will come back to this question of proposed amendments in a moment, but I will make a couple of other points before I do that.

The first point is that this legislation is the product of a policy commitment made by the Commonwealth government back in 1995. I think that when the government stands up and says that introducing these bills will contain greenhouse gas emissions and provide greenhouse gas dividends it ought to be noted that this commitment was made back in 1995 and, had this legislation been introduced in a quicker and more timely way, we would have been saving much more in the way of greenhouse gas emissions. So there has been delay. That has resulted in millions of tonnes of greenhouse gases entering the atmosphere over the last decade, which could have and should have been prevented.

The second point I want to make comes back to methyl bromide. This is a powerful ozone depleting substance. All uses of methyl bromide other than for quarantine and pre-shipment purposes are to be phased out in Australia by 1 January 2005, consistent with our obligations under the Montreal protocol. However, parties to the protocol recognised that transitional access to methyl bromide after that time may be justified. In 1997 they adopted a formal decision to allow limited critical use exemptions in some rare cases. That decision made it clear that such exemptions would be granted only when several strict criteria are met. It appears that the government may seek to allow or support dubious exemptions which compromise the intent of the phase-out. That is something that the opposition will continue to monitor. In general, the bills represent an improvement on the current arrangements for management of both ozone depleting substances and synthetic greenhouse gases used as their replacements. I understand that it will not have a financial impact in that proposed increases in licence application fees will satisfy the legislative requirement for revenue neutrality in administering the act.

I think there has been a certain amount of mischief on both the government side—the Liberal side—and the Green side of this debate. I received correspondence from the executive director of the Australian Fluorocarbon Council and from representatives of the Air-Conditioning and Refrigeration Equipment Manufacturers Association. In those emails they said they were very worried that there was difficulty in having the bills scheduled for debate. They wrote to request my assistance in expediting this matter and to ask if I could assist in moving these bills forward. Mr Deputy Speaker Price, as you will be well aware, I have no influence over the management of the business of the House. That is entirely in the hands of the government. The delays in bringing these bills forward have been entirely a matter for the government. It is their choice as to which bills should be brought on for debate and which bills should not be brought forward for debate. If the government were endeavouring to suggest to the industry that Labor was somehow holding up this legislation, that would be completely untrue and a piece of mischief on their part.

On the other side of the coin, the Greens have foreshadowed amendments to this legislation, which they have foreshadowed by way of press release, not by way of discussion with us. There has been some lobbying in the last couple of weeks endeavouring to suggest that we should be supporting
amendments which take us in the direction of natural refrigerants. One of the difficulties in relation to these proposed amendments, which have been bowled up late in the day, with people sending us emails the day before this legislation was originally scheduled to come on for debate, is that this approach does not show a great understanding of how a large democratic party works. We certainly do not spin around on a 20c piece in relation to these matters.

More importantly, the issue is that this legislation should take us forward. The government is clearly setting out the case that this legislation does take us forward—for example, by telling us that it will deliver a greenhouse gas abatement equivalent of up to six million tonnes of carbon dioxide per annum by 2010, which is about one per cent of Australia’s 1990 emissions. If we accept the figures provided by the government and understand that this legislation is benign, then putting us in the situation of holding the bill to ransom and saying, ‘We will not support it unless it does other things,’ can make life very difficult. If the legislation is amended in the Senate but not supported by the government as a result of the Senate amendments then, of course, people will be open to accusations that they are holding up what is good and worthy legislation. The Labor Party are prepared to consider the proposals to advance the cause of natural refrigerants and to give them due policy consideration, but that is something we will consider as part of our policy development work, not in terms of support for amendments to these particular bills.

In the remaining time open to me, I want to return to the question of climate change. I said in my remarks that the bills are useful in relation to greenhouse gas abatement, but they are far from a major or even significant step forward in relation to greenhouse gas abatement. Climate change is, in my book, the most serious environmental question facing the planet. Every day there is evidence of climate change. We saw it with the Californian bushfires. We saw it with the hailstorms in south-east Queensland recently. Storm events with hailstones the size of golf balls and cricket balls lashed south-east Queensland and caused at least $8 million damage—and it may be much more than that by the time the claims have been properly lodged. In the ACT, we saw storm events with hailstones contributing to the blacking out of more than 20,000 homes in the ACT and something like 40,000 homes in New South Wales. Back in April 1999, we saw a billion dollar Sydney hailstorm.

Interestingly, the Insurance Australia Group—it is their business to know whether climate change is happening and what impact it is likely to have on insurance claims—have done modelling and their preliminary findings show that even small adjustments to the key parameters would combine to form a superstorm and create a hailstone event that has the potential to far outstrip the horrendous April 1999 storms in both intensity and scale. There have been bushfires, there have been hailstorms and there is the evidence we have seen in relation to the Queensland wet tropics. Recently, I drew public attention to the findings of researchers that show that, in the area of the wet tropics, climate change will have severe effects on the long-term survival of many species. Most upland species will disappear if average temperatures increase by anything over one degree Celsius. We also have the prospect that carbon dioxide concentrations will reduce the nutritional value and increase the toughness of most foliage, which has implications for leaf-eating species and for litter-feeding insect eaters, and that the cloud base will rise higher above the ground than it is at present. A lot of those endemic rainforest species are distributed over areas with a
very narrow range in temperature and rainfall, so relatively small changes in temperature and rainfall will have a major impact on the capacity of species in the wet tropics to survive.

It is of concern whether we are looking at those things or at the phenomenon I mentioned earlier which was referred to in a recent Catalyst program as the Antarctic vortex. That is where the rain-bearing winds over southern Australia during the winter period which give southern Australia much of its rainfall are now apparently being sucked further south as a result of the interaction between the hole in the ozone layer and increasing temperatures on the continent. As that effect becomes more dramatic, the rainfall will be sucked south into the ocean and we will not get it. Southern Australia will enter a period of reduced rainfall and extended drought conditions. That sort of change is potentially dramatic for this continent. Australia is already the world’s driest inhabited continent, and the prospect of reduced rainfall in southern Australia ought to be a matter of major concern.

Unfortunately, this government does not get it in relation to its attitude towards climate change. It claims that we are on track for meeting our Kyoto target. The point is that we contribute less than two per cent of the world’s greenhouse gas emissions, but it has nothing to say about the other 98 per cent. The one vehicle that is there to try to tackle global climate change and global greenhouse gas emissions is the Kyoto protocol on climate change, and this government has done everything it possibly can to scuttle and undermine the Kyoto protocol. It has not played a part as a good international, environmental citizen. Indeed it is very much in Australia’s best interests to get action at an international level to contain our greenhouse gas emissions. The rest of the world is responsible for over 98 per cent of the world’s greenhouse gas emissions and this government has absolutely nothing to say about how we deal with those greenhouse gas emissions.

Dr Stone interjecting—

Mr KELVIN THOMSON—This government ought to be ratifying the Kyoto protocol. The government’s position is a matter of international embarrassment. The parliamentary secretary at the table, Dr Stone, might not be aware of it but around the world our environmental reputation is mud as a result of the stance we have taken on this. Try talking to some of those South Pacific nations—Tuvalu, Kiribati and the rest of them—and see how they feel about the prospect that they will be flooded as a result of us undermining the Kyoto protocol.

We should be ratifying the Kyoto protocol on climate change and urging the United States and Russia to do likewise. It is of course necessary for either the United States or Russia to ratify the protocol for it to come into effect. If we do not get that collective international action then the problems we are talking about—droughts, bushfires, floods, cyclones and increased susceptibility to tropical diseases—will only become more serious. So I urge the government to do the right thing on climate change. Collective international action can work in relation to the Montreal protocol and the ozone problem. It can also work in relation to the Kyoto protocol and the climate change problem. We need to take the same constructive approach to climate change as we have been taking to ozone so that we can get the effects that are necessary to protect the planet’s climate, and particularly Australia’s climate, in the years ahead.

Dr WASHER (Moore) (7.24 p.m.)—I rise today to speak to the Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003 and related bills. The
purpose of the bills is to amend the Ozone Protection Act 1989 to maintain the national regulatory scheme for the management of both ozone-depleting substances, ODSs, and newer synthetic greenhouse gases, SGGs, to be used as their replacements. Australia’s ozone protection legislation has made a significant contribution to the global effort to phase out ozone-depleting substances. Through cooperation between government and industry the legislation has reduced Australia’s consumption of ozone-depleting substances by over 80 per cent since its enactment in 1989.

To achieve this reduction, Australian industry has adopted a variety of ozone benign substances and technologies, including the use of synthetic greenhouse gases, hydrocarbons and fluorocarbons. These gases do not endanger the ozone layer but are now recognised as potent greenhouse gases. Some of these SGGs have an impact on the climate hundreds to thousands of times greater than emissions of carbon dioxide on a tonne-for-tonne basis. For example, the hydrofluorocarbon 134a is 1,300 times more potent than carbon dioxide on a tonne-for-tonne basis.

The bills also extend the system in the existing legislation for licensing the import, export and manufacture of ozone-depleting substances. This enables Australia to ratify the most recent amendment to the Montreal protocol—the Beijing amendment—and address environmental issues raised by the increasing adoption of SGGs where they are used as alternatives to ODSs. These amendments have been developed following extensive consultation with state and territory governments, industry and other stakeholders over the last four years. There is widespread support for these changes, which will allow a national uniform approach and deliver effective environmental gains, certainty and consistency as a benefit to industry. These amendments affect businesses in the airconditioning, refrigeration, foam, fire protection, fumigation in agriculture, aerosol and precision cleaning industries. Greenhouse gases emitted during the production of aluminium, magnesium and electricity are exempted from the bill and will be addressed through voluntary programs.

The bills have the potential to reduce Australia’s overall emissions of greenhouse gases by the equivalent of six million tonnes of carbon dioxide per annum by 2010, or up to one per cent of 1990 levels. The bills cover the phasing out of these ozone-depleting substances: bromochloromethane, hydrochlorofluorocarbons, chlorofluorocarbons, hydrobromofluorocarbons, halons, methyl bromide, carbon tetrachloride and methyl chloroform.

Hydrocarbons, which are used as an alternative to ozone-depleting substances in car airconditioners, are neither ozone depleters nor greenhouse gases and are not regulated by this regulation. However, hydrocarbons are flammable and in some applications raise occupational health and safety issues. The aim of the bill is not to phase out SGGs as there is no reasonable number of alternative substances available to replace them. They were originally adopted as replacements for ozone-depleting substances. The aim of the bill is to minimise the emission of these gases. The earth’s ozone layer protects all life from the sun’s harmful radiation, but human activities releasing ozone-depleting substances have damaged the shield.

Ozone is an extremely rare gas, representing three out of every 10 million molecules. Most atmospheric ozone is concentrated in a layer in the stratosphere about 15 to 30 kilometres above the earth’s surface. Ozone is a molecule containing three oxygen atoms. It is blue in colour and has a strong odour. The oxygen molecule, which we breathe, has two
The ozone layer absorbs a portion of the radiation from the sun, preventing it from reaching the planet’s surface. Most importantly, it absorbs the portion of ultraviolet light called UVB, a band of ultraviolet radiation with wavelengths from 280 to 320 nanometres, a nanometre being one billionth of a metre. It is produced by the sun. UVB has been linked to many harmful effects, including various types of skin cancer, cataracts and harm to crops, certain materials and some forms of marine life. The ozone layer also absorbs all the lethal ultraviolet C radiation.

At any given time, ozone molecules are constantly formed and destroyed in the stratosphere. The amount, however, remains relatively stable. The ozone depleting substances that have been used over the past 50 years or so were initially thought of as miracle substances. They were stable, non-flammable, low in toxicity and inexpensive to produce. Over time, CFCs found uses in refrigerants, propellants, solvents, foaming blowing agents and other small applications. Others—such as chlorine-containing compounds including methyl chloroform, a solvent, and carbon tetrachloride, an industrial chemical used in fumigation; halons, which were found to be extremely effective fire-extinguishing agents; and methyl bromide, a very effective soil fumigant—have atmospheric lifetimes long enough to allow them to be transported by winds into the stratosphere.

The CFCs are quite stable, although on exposure to strong ultraviolet radiation they break down and release chlorine and bromine, which in turn attack and destroy ozone. One chlorine atom can destroy over 100,000 ozone molecules. The net effect is to destroy ozone faster than it is naturally created. One example of ozone depletion is the annual ozone ‘hole’ over Antarctica that has occurred during the Antarctic spring since the early 1980s. Rather than being a literal hole through the layer, the ozone hole is a large area of the stratosphere with extremely low amounts of ozone. Ozone levels have fallen by over 60 per cent during the worst years. In addition, research has shown that ozone depletion occurs over the latitudes that include North America, Europe, Asia and much of Africa, Australia and South America. Thus ozone depletion is a global issue and not just a problem at the South Pole.

Data collected in the upper stratosphere has shown that there has been a general thinning of the ozone layer over most of the globe. This includes a five per cent to nine per cent depletion over Australia since the 1960s. In addition to this general thinning, more dramatic damage occurs over Antarctica each spring when the ozone hole forms. The 2000 ozone hole was the largest on record, measuring 32.9 million square kilometres—more than three times the size of Australia—and, for the first time, extending over populated areas.

The prospects for the long-term recovery of Antarctic ozone are good. Non-essential consumption of the major ozone-depleting substances in the developed world slowed during the early 1990s and ceased in 1996. Stratospheric chlorine levels should return to pre ozone hole levels by about 2050.

Since most of the ozone-depleting substances are released in the northern hemisphere, a common question is why the ozone hole occurs over Antarctica. The first part of the answer is that, even though most of the chemicals are heavier than air, regardless of where they are released, they mix throughout the troposphere—the layer extending up to about 15 kilometres above the earth’s surface—over about a year and then mix into
the stratosphere in two to five years. The second part of the answer is that, although the overall process is similar between global ozone depletion and the ozone hole, there are two different types of ozone depletion chemistry. Both types are important, but the ozone hole seems to grab most of the attention.

The first kind is called homogeneous depletion. Resulting from reactions as gases mix together, it is responsible for the reduction in global ozone levels. The five per cent to 10 per cent drop in ozone over the US is an example of homogeneous chemistry. The second kind of ozone depletion chemistry, called heterogeneous, causes the radical destruction of ozone over the Antarctic each spring that we call the ozone hole. It results from chemical reactions on the surfaces of ice particles. The existence of these particles and the seasonal and geographic location of the hole all result from a combination of meteorological and other effects that are specific to Antarctica at that time of year.

Each winter, the air around the South Pole cools and begins circulating to the west. This vortex effectively isolates the air over Antarctica, with three effects. First, outside air, which is relatively ozone rich, cannot mix in and sustain ozone levels. Second, the chemicals that tend to slow down the depletion reactions cannot mix with Antarctic air. Third, the heat from outside air is shut out, prolonging the period of very low stratospheric temperatures. Because the air gets so cold over Antarctica each winter, the vortex remains intact for several months, finally breaking up in December. The vortex is the reason for the timing and location of the ozone hole, because such vortices do not form over more temperate regions, and, as such, homogeneous gas phase chemistry is the dominant global concern, producing long-term ozone depletion trends.

The Antarctic is a very cold place; temperatures in the lower stratosphere drop below minus 80 degrees Celsius. Ordinarily, the stratosphere is so dry that it will not support clouds, but these cold temperatures do produce ice clouds, called polar stratospheric clouds or PSCs. Some of the clouds are water ice, but more prevalent are clouds of nitric acid and water. Like the wind vortex, the formation of PSCs has specific impacts. In the absence of polar stratospheric clouds, most man-made stratospheric chlorine is locked up in relatively inert compounds. However, the surfaces of the ice particles in the clouds allow these compounds to react, converting the chlorine into ozone-destroying forms. These reactions are different from those occurring when gases mix over mid latitudes.

The forms of chlorine released from the clouds’ surfaces cannot destroy ozone without the addition of UV light, which is not available during the southern winter. Thus their concentrations rise until the sun appears during the spring. When the sun does rise, the chlorine is rapidly converted to chlorine monoxide, and this is followed by a very rapid set of reactions, destroying up to 70 per cent of the ozone in the lower stratosphere over a period of a few weeks.

The net effect of these factors is the ozone hole, an easily measured, well defined seasonal phenomenon. The depth, area and timing of the hole vary from year to year, but, as the polar vortex breaks up and the stratosphere warms, the heterogeneous chemistry shuts down and ozone levels over the Antarctic return to near normal. The ozone hole generally lasts from September to December, although the exact time period varies from year to year. The ozone hole is the most obvious effect of the release of ozone-depleting substances into the atmosphere and is also the most extreme example of ozone depletion. However, the long-term downward
trends in ozone levels over most of the globe also pose a serious threat. Although not as spectacular, homogeneous chemistry is a significant problem.

In conclusion, the 1999 Beijing amendment has already essentially been practised by Australia. The Beijing amendment contains four key elements: the ban on production and trade in bromochloromethane except for essential uses to countries that have ratified the Beijing amendment; the ban on trade in hydrochlorofluorocarbons with countries who have not agreed to phase out these gases; the phase-out schedule for hydrochlorofluorocarbon production in developed countries, with phase-out by 2040; and mandatory annual reporting of methyl bromide imported for quarantine and preshipment purposes. Australia’s trade in hydrochlorofluorocarbons with countries who have not agreed to phase them out is negligible. Australia has voluntarily reported its quantity of methyl bromide imported for quarantine and preshipment purposes. Australia does not manufacture bromochloromethane or hydrochlorofluorocarbons, has not recently exported bromochloromethane, and on average imports less than one kilogram of bromochloromethane per year. So, basically, we have enacted this already.

Mr ORGAN (Cunningham) (7.39 p.m.)—You might expect that as the sole Greens MP in this House I would welcome the Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003 and its associated legislation, and I must say at the outset that these changes are long overdue and very welcome—as far as they go. And that is just the problem: they do not go anywhere near far enough. It is a missed opportunity. There are widespread concerns about the bill, despite a stated aim of minimising the impact of ozone-depleting substances on the environment.

The minister has told us that the purpose of this bill is to amend the Ozone Protection Act 1989 to ensure we have a truly national regulatory scheme for the management of both ozone-depleting substances and synthetic greenhouse gases—SGGs—used as their replacements. The minister told us that it also ensures Australia remains an international leader on action to preserve the earth’s ozone layer by implementing the most recent amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer. The explanatory memorandum to the bill says this will be done by amending the Ozone Protection Act 1989 to:

- introduce a licensing system for the import, export and manufacture of synthetic greenhouse gases (SGGs) used as alternatives to ozone depleting substances (ODS), accompanied by a licence application fee, activity levy and reporting obligations;
- introduce a licensing system for refrigeration and air-conditioning equipment imported into Australia containing the ozone depleting substance hydrochlorofluorocarbon (HCFC) or the synthetic greenhouse gas hydrofluorocarbon (HFC), accompanied by a licence application fee, activity levy and reporting obligations;
- extend the existing licensing system for the import, export and manufacture of ODS to a new ODS, bromochloromethane, including the associated licence application fee and reporting obligations;
- provide for national consistency in end-use regulation of ODS and their SGG alternatives through a power to create regulations for this purpose, replacing State and Territory ODS and SGG end-use regulations that vary in both scope and nature;
- extend the scope and purpose of the Ozone Protection Special Account to include all costs and revenue associated
with the amended Act and management of Australia’s National Halon Bank;

• introduce application fees for an exemption to import or manufacture certain products containing or manufactured with ODS; and

• undertake a series of minor technical amendments to clarify the definition of “Protocol” for the purposes of the Act, and clarify the status of ODS and SGG imported for destruction.

That all sounds very worthy, but there are significant problems with this bill, and I would like to highlight some of those. For example, it has been argued that the bill is worthy of support because it improves legislation requiring review. However, this assessment is flawed for the following reasons. Firstly, it disregards the potential of natural refrigerants—as opposed to synthetic refrigerants—to replace fluorocarbons. The member for Wills has already made reference to concerns of peak environmental groups. The most significant of these is the exclusive focus on end-use controls on fluorocarbons taken by the bill and the unjustifiable dismissal in the explanatory memorandum of the potential for the uptake of non-ozone-depleting substances, non-SGG alternative substances and not-in-kind technologies such as hydrocarbons, ammonia, water and carbon dioxide.

The government has repeated fluorocarbon industry views that these substances and technologies are unproven or unsuitable. Amongst experts in the use of natural refrigerants there is no uncertainty about their suitability for use in a wide range of applications, and there is very strong interest in the refrigeration and airconditioning industry in pursuing these solutions. The government claims that a study being conducted into the suitability of natural refrigerants is needed to resolve uncertainty. The study referred to was undertaken at the behest of the natural refrigerants industry. It has been published in draft form and sheds very little new light on the suitability of alternatives, merely presenting instead a snapshot of opinion across different sectors of the industry. Taking firm action to encourage the use of natural refrigerants is not in any way dependent on the findings of the study, which is apparently being used by the government as an excuse for doing nothing. This outrageous attempt by the government to dodge the most pressing issues confronting the Australian refrigeration industry is simply unacceptable.

The use of hydrofluorocarbons, HFCs, will expand dramatically in the next few years. There is therefore no excuse for the failure of the bill to provide for strong action to facilitate a transition to the use of other substances and technologies. The limited extent of the uptake to date says nothing about the potential of such environmentally benign technologies to replace fluorocarbons in most applications, and immediately. There is a real strategic requirement to make the adoption of natural refrigerants a priority of the act and its associated regulations. The feasibility of replacing fluorocarbons is demonstrated by a number of European Union member states that have gone further by proposing a phase-out of HFCs as the primary mechanism for minimising emissions. Additionally, clear guidance needs to be given by the parliament on the formation of the proposed national industry boards.

The detailed changes to the governance of the industry will be substantially determined by the regulation made under the legislation, in particular the establishment of national industry boards that will replace the current state based licensing system. I would like to talk a little about this issue. These new national boards will play a crucial role in influencing the performance and direction of the industry, and it is essential that the boards that are put in place to perform these func-
tions enjoy the confidence and trust of the industry participants—not just the big end of town players and those with a vested interest, such as manufacturers of chemicals and equipment, but also those workers and contractors who are at the coalface, so to speak, in the installation and maintenance of air-conditioning and refrigeration facilities. They’re the ones who will be regulated!

It is widely anticipated in the industry that the National Refrigeration and Air Conditioning Council, NRAC, will be appointed by the government to administer the refrigeration industry board. Back in June, I asked the Minister for the Environment and Heritage a number of questions about NRAC. The first related to the Australian Greenhouse Office having invested $3.6 million of taxpayers’ funds in two organisations, Refrigerant Reclaim Australia and the National Refrigeration and Air Conditioning Council Ltd through a Greenhouse Gas Abatement Program performance based grant to facilitate better handling and recovery of hydrofluorocarbon and perfluorocarbon refrigerants. According to the minister’s reply this activity is expected to result in abatement of greenhouse gases equivalent to 3.58 million tonnes of carbon dioxide.

My second question sought information on Refrigerant Reclaim Australia and NRAC in regard to their legal status, structures, directors, key operating personnel, and financial reporting. The minister revealed that Refrigerant Reclaim Australia, RRA, is a company limited by guarantee which exists primarily to be the trustee of the Ozone Depleting Substance Reclaim Trust. RRA is a not-for-profit industry-funded organisation that has been established to recover and destroy waste refrigerant gases. RRA has a board of directors and a chief executive. It contracts with professional organisations to effect the recovery, transport, storage and destruction of waste refrigerants, and, according to the minister, it utilises world best practice Australian-developed destruction technology to transform waste refrigerant to salts and water.

The minister further pointed out that the board of RRA is a vertical slice of the refrigeration and air conditioning industry, with representatives from importers, wholesalers, contractors and end users of refrigerants. Current directors are from five organisations: the Refrigeration and Air Conditioning Contractors Association, the Australian Refrigeration Wholesalers Association, the Australian Fluorocarbon Association, the Vehicle Air-conditioning Specialists of Australasia and the Air-conditioning and Refrigeration Equipment Manufacturers Association. The Chief Executive of RRA is Michael Bennett. As RRA is not a publicly listed company, it is not required to produce public financial reports. However, RRA is required to report to the Australian Greenhouse Office on expenditure relating to its Greenhouse Gas Abatement Program grant. No such reports were available at the time of the minister’s response to my question on this matter.

In regard to NRAC, we were informed that it is a not-for-profit, limited liability company with a board of directors and a chief executive officer. Current board members include representatives of the four organisations I have referred to but excluding the Australian Fluorocarbon Association, along with the Motor Traders Association of Australia, the Institute of Refrigeration Air-conditioning Service Engineers, the Australian Institute of Refrigeration Air-conditioning and Heating and the Air-conditioning and Mechanical Contractors Association. Current directors are from the AIRAH; AREMA; ARWA; RACCA; VASA; and the AMCA. NRAC is currently preparing a financial report for the Australian Greenhouse Office covering the period from 19 September 2001, when the first funding was received, to
30 June 2003. That statement has not yet been received.

I also asked a question seeking details of any contracts between these organisations and the government. We know that the Commonwealth signed Greenhouse Gas Abatement Program deeds of agreement with Refrigerant Reclaim Australia and the National Refrigeration and Air Conditioning Council on 19 September 2001. As the Greenhouse Gas Abatement Program is focused on the delivery of abatement in the Kyoto protocol commitment period, and these projects therefore need to continue throughout this period, the deeds of agreement do not expire until 2013.

There are therefore a number of questions that could be asked about the validity of the abatement methodology proposed by NRAC and the extent to which it is likely to succeed, and particularly about whether NRAC is achieving the milestones specified in the deed of agreement with the Australian Greenhouse Office. One of those milestones is the registration of contractors working in the refrigeration and airconditioning field. I understand that NRAC is way behind in the number of membership registrations it needs to have, yet it is quite explicit in its June 2002 annual report that it will be in deep trouble if the legislation before us is not passed to make the scheme compulsory.

Understandably there are substantial objections from many in the industry in regard to NRAC being handed this critical regulatory role. They include a number of small business operators in the airconditioning field in my electorate of Cunningham who came to see me earlier this year and raised concerns about the impact of this new national regime and the dominance of NRAC on an industry which is going along smoothly under the present state regulatory regime. Those local business operators were very concerned about the idea of NRAC coming in and regulating on a national scale.

As you can see from the above information, NRAC is dominated by refrigerant importers and large equipment manufacturers and has been greeted with great scepticism by contractors and other industry professionals. Reflective of this lack of trust by the industry in the NRAC are the very modest membership levels NRAC is understood to have achieved to date. A number of well-established industry associations worked cooperatively in the late 1980s and early 1990s to establish the state based controls and licensing requirements for CFCs and came up with effective and widely accepted arrangements. These industry associations and organisations are the repository of the technical knowledge and practical experience that is required to develop effective systems of control and management of the industry, and it is essential that they be assured of a decisive role in the establishment of the national industry boards under this legislation. It is imperative to the success of the national industry boards that they are comprised of a genuinely representative group of experienced industry professionals and that the industry is not placed under the control of a small group that does not have the confidence of the industry at large.

As I said in the debate on the Industrial Chemicals (Notification and Assessment) Amendment Bill 2003 earlier this year, we are in danger of allowing the industry dog to wag the regulatory tail. Workers and contractors in the industry do not want this and the government needs to recognise their voices and listen to them. A further consideration about this bill is that significant improvements can easily be achieved by taking time to consider amendments. Unfortunately the member for Wills has indicated the opposition’s refusal to consider such amendments, citing them as ‘mischief’ by the Greens, al-

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though our suggested amendments do go towards supporting natural refrigerants.

When this bill reaches the Senate, the Greens will move to ban imports of synthetic greenhouse gases in small split-system air-conditioners. Small domestic airconditioners imported into Australia and prefilled with synthetic greenhouse gases, called fluorocarbons, can be installed by unqualified tradespeople, which leads to the greenhouse gases leaking. If the airconditioners were imported without the gas inside, they would have to be installed by qualified tradespeople, which would stop thousands of tonnes of ozone depleting and greenhouse inducing gases from escaping to the atmosphere. This simple move would make a big contribution to reducing Australia’s greenhouse gas emissions and is strongly supported by companies like Pioneer Air Conditioning and industry groups like the Heating and Cooling Association of Australia.

The Greens will also move amendments to the legislation to phase out synthetic greenhouse gases altogether and promote the move to natural refrigerants which harm neither the ozone layer nor the climate. The transition to natural refrigerants is well established in Europe and if Australia followed suit we would be well-positioned to lead the way in Asia. I therefore call on the government and the opposition to back the Greens move to ban imports of split-system airconditioners precharged with synthetic greenhouse gases and not to cave into pressure from the fluorocarbon users.

The Greens amendments to support the industry’s call for a ban on the imports of split type refrigeration and airconditioning equipment precharged with HFCs and HCFCs will have a significant immediate and positive effect on improving industry practices and reducing emissions. The amendments aim to require that fluorocarbon refrigerants would have to be put into split systems—as opposed to sealed ‘packaged’ systems—in Australia by licensed technicians, reducing leaks and waste from overcharged and/or incorrectly installed systems. An effect of this requirement will be to encourage the purchase of split type airconditioners from specialist airconditioning and refrigeration dealers and installers, who are licensed to handle refrigeration equipment and are required to abide by best practice techniques to avoid leakage in the installation, operation and ongoing servicing of the equipment. Qualified professionals taking due care in the installation of split-system airconditioners is an important strategy to achieve substantial reductions in emissions from this rapidly growing sector of the industry.

The practical measure of requiring split-system airconditioners to be charged with a nitrogen holding charge instead of environmentally harmful refrigerants will provide an effective means of improving industry practice, reducing emissions and enhancing the efficient operation of airconditioning equipment. It will also help to support small- and medium-sized Australian companies and will assist them to make the investment in training their employees in best practice refrigerant handling techniques. Further significant improvements to the bill could be achieved by implementing the refrigerant classification and safety standard, AS1677 parts 1 and 2, and expanding the purposes for which funds established under the act may be used.

In summary, the government’s approach encourages the overseas fluorocarbon industry while ignoring or hampering the domestic natural refrigeration industry. It is obvious that the fluorocarbon industry is concerned by the potential loss of market share they face from competition with products that are less damaging to the environment. This bill ignores numerous issues which, although largely unseen, have an impact on the lives
of many Australians. The bill, as currently proposed, is seriously flawed and contains several problems that could be easily fixed. I would strongly urge the government to reconsider its position on this legislation and to take action to bring about improvements that will provide support to the Australian refrigeration and airconditioning industry and make a more substantial contribution to the reduction of harmful ozone depleting and global warming gases. Until it does, I cannot support the legislation in its present form as the government could so easily do much more to deal with this important issue.

Mr LLOYD (Robertson) (7.58 p.m.)—It is with great pleasure that I rise tonight to speak on and support the Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003. This is a non-controversial bill. Although I understand that the Greens are not supporting this bill, the Labor opposition have indicated that they will support it. It is an important amendment that should have come before this parliament quite some time ago; in fact, it could have come before this parliament many weeks ago. The only reason that it has not come before the parliament is that the opposition would not agree to have this bill debated in the Main Committee. As honourable members would know, the debating time in this House is quite limited and the government’s legislative agenda makes it quite difficult to get bills onto that agenda and debated in this House. However, there is the second chamber, which is available for debate and does have time available, and this bill could have been introduced into the Main Committee several weeks ago.

So the opposition has delayed the introduction of an important amendment which will help protect our environment and the ozone. I was disappointed to learn that, when industry sources approached the Labor opposition to clarify why this bill had not come before the Main Committee, they were informed apparently by the opposition that it was the government that was objecting to this bill being taken to the Main Committee. Nothing could be further from the truth. The government was keen to have this bill introduced and was prepared to take it to the Main Committee several weeks ago. Having said that, I am pleased that this bill is now in this chamber. It will hopefully be debated in the Senate as quickly as possible and it will shortly come into effect to help protect our environment and our ozone.

Australia’s world-recognised efforts in ozone protection have been truly national efforts and have traditionally received support from all parties in the parliament. I am disappointed that the member for Cunningham, who represents the Greens, has left the chamber, but I will be interested to see the reasons why the Greens will not support this bill. I believe that the Greens are going to introduce some further amendments in the Senate.

The introduction of the Ozone Protection Act by the Hawke Labor government in 1989 and subsequent amendments by the Keating government in 1995 received broad bipartisan support in this House. The important amendments we are considering today—which will result in one national program covering both ozone-depleting substances and synthetic greenhouse gases used in what are termed the ‘Montreal Protocol industries’—will hopefully receive bipartisan support, and I really urge the Greens to reconsider some of the objections they have to this bill.

The measures in this bill, which have the industry’s full support and which were developed over a lengthy consultation period, will give Australia the most comprehensive package for minimising the atmospheric impact of these industries anywhere in the
world. The government have made many comments about the Kyoto protocol, and we are very committed to reaching some of the commitments that were established at the Kyoto protocol. This bill is further evidence of the government’s commitment to meet the Kyoto target of 108 per cent of 1990 emissions by 2008.

While the government is pleased to put forward this bill and I am very pleased to speak in support of the amendment, I would also like to congratulate the industry associations that have worked closely with the government to develop a package of controls which will deliver the best practical outcomes to minimise the emissions of what are, after all, nonflammable, colourless and odourless gases. I would particularly like to congratulate Steve Anderson, the executive director of the Australian Fluorocarbon Council, and Mr Greg Groppenbacher, who also represents the Australian Fluorocarbon Council, for the work that they have done to ensure that the industry is well represented and for the work they have done to assist the government to put forward this bill.

The Australian Fluorocarbon Council has been a central and influential player in this area for some 15 years. The council is composed of representatives of all the major user groups and in particular has representatives from all the industry associations in the air-conditioning and refrigeration industry. This structure has enabled the council to put forward a broadly based view to the government and draw on the expertise across the industry to develop practical responses to the environmental challenges that the industry faces.

I am aware that quite some time ago the industry came to the government with what it termed a ‘responsible use strategy’. Recognising that controls would, and indeed should, come, the Australian Fluorocarbon Council proposed a four-part strategy comprising: a ban on the use of disposable containers of fluorocarbon refrigerants; the extension of product stewardship obligations to cover all fluorocarbon refrigerants; the introduction of a national training and certification program for airconditioning technicians; and a general prohibition on emitting any fluorocarbon to the atmosphere when it can be practically prevented. I am pleased to say that all these elements will be put into place in one form or another under the provisions of this bill.

The Fluorocarbon Council has been responsible for a range of significant initiatives over the years which have earned it a number of awards from bodies such as the United States Environmental Protection Agency. Perhaps the most significant of these was the establishment of Refrigerant Reclaim Australia, which I am advised is possibly the best organisation of its type in the world. To put it simply, Refrigerant Reclaim Australia is an industry-financed, not-for-profit organisation that is responsible for collecting and safely destroying any surplus or unusable fluorocarbon refrigerants anywhere in Australia. It is these refrigerants—the ones that cannot be used, the ones that have no economic value—that end up being emitted into the atmosphere, because obviously it is easy to discharge them into the atmosphere. As I said earlier, they are odourless and colourless gases, but unfortunately they have significant environmental impacts.

Refrigerant Reclaim Australia achieves this by paying bounties for returned refrigerant, and this is financed via a voluntary industry levy. In its 10 years of operation, this organisation has destroyed approximately 900 tonnes of ozone depleting refrigerants—a magnificent effort that is helping to protect our environment and particularly help stop the depletion of our ozone. Unfortunately, since it is a voluntary organisation, not all
companies pay the levy and we end up with this ‘free rider’ issue that often creates serious problems with voluntary programs. While Refrigerant Reclaim Australia pays to take back and destroy everyone’s refrigerant, unfortunately not everyone pays the levy—because as I said earlier it is a voluntary levy.

This bill will help to place the product stewardship obligations across all of the refrigeration and airconditioning industry. While Refrigerant Reclaim Australia will remain a voluntary program, there will be no more free riding. Companies will pay a levy either to the organisation or to a similar body or they will make their own arrangements which will have to meet the standards set down by government.

A further example of the effective working relationship between government and industry has been the establishment of the National Refrigeration and Air Conditioning Council. Established with assistance from the Greenhouse Gas Abatement Program, the National Refrigeration and Air Conditioning Council is composed of all relevant associations in the refrigeration and airconditioning industry. It is responsible for implementing a nationwide training and certification program for technicians and companies in the industry. While this group has made great progress, the difficulties of an effective voluntary program in this area are apparent. The bill will allow for the establishment of a mandatory national training and certification program for the airconditioning and refrigeration industry.

As I said earlier, this is a very important bill and I am disappointed that it has taken so long for it to come before the parliament. I would certainly urge those in the Senate to help, assist and speed the progress of this legislation through the Senate. I would appeal to the Greens to act constructively for once in their lives—to look at this bill, which is a great step forward in protecting our environment; to support the bill; and to support the government in what they do. I think the Greens are losing a great deal of credibility. Their stunt in the parliament recently during the visits of the President of the USA and the President of China certainly depleted their credibility. And as far as I am aware, the member for Cunningham—the sole Greens representative in this chamber—has never once supported the government. If they were in fact a party that was—

Mr Albanese—If you did something decent, he might!

The DEPUTY SPEAKER (Ms Gambill)—The member for Robertson has the call.

Mr Lloyd—Even the Labor Party on occasions supports the government! It really shows something of the mind-set of the Greens that they are not even prepared to look at the issues on the basis of merit and they simply vote against the government. This is an opportunity for the Greens to look at this issue and for once support what the government is trying to do.

This government has been at the forefront of protecting the environment, through many initiatives, such as the Natural Heritage Trust, which is the largest environmental program that has ever been introduced by any federal government to protect our environment. We receive little or no recognition for that, particularly from the Greens, but it is a program that is supported very strongly throughout the community, through Landcare and Dune Care and many other programs in the community. This is just one way of showing that the government is doing something for the environment.

The Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003 is another way in which the government is showing that it is getting serious
about protecting our environment. It is also an indication of how serious the industry is, not only in wanting to protect their industry but also to show that they are looking at a way of protecting the environment and ensuring that the air conditioning and refrigeration industries are seen as viable and long term, and are seen to be protecting the environment. The fact that these industries had already set up a voluntary levy that managed to reclaim a great deal of excess, surplus and useless ozone-depleting gases and had them destroyed in a way that was environmentally safe and did not contribute to the depletion of our ozone layer shows that industry is very serious about ensuring the protection of the environment. The fact that industry is prepared to work with government and put forward constructive ideas shows that it is also very serious about these issues.

It is a great disappointment to me that a party such as the Greens, who claim to be a party for the environment, have damaged again their waning credibility by the fact that they have refused to support this amendment bill. I believe they are planning to obstruct the passage of this bill in the Senate, which will further delay a bill which is designed to enhance and protect our environment.

Mr HATTON (Blaxland) (8.13 p.m.)—We are dealing with three bills here tonight, so it is a cognate debate. We are dealing with the Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003, and my comments, arguments and debate will essentially go to this main bill. Attendant upon that bill are the regulatory matters dealing with licence fees, so we also have the Ozone Protection (Licence Fees—Manufacture) Amendment Bill 2003 and the Ozone Protection (Licence Fees—Imports) Amendment Bill 2003. These two sets of measures fundamentally simply update the current situation. They allow for a new range of licence fees to take into account what the central part of the bill is concerned with—that is, in particular, the synthetic greenhouse gases that have been so effective in reducing the deleterious effect on the ozone layer of the previous gases that were used.

What has been available since those gases—the CFCs and so on—were phased out has had a particular effect. It has been argued in this debate, quite rightly, that there has been an 80 per cent effect in terms of the lowering of the deleterious effect on the ozone layer as a result of Labor’s 1989 policy, which was that CFCs, or chlorofluorocarbons, should be written out of the additives that we had or the key components that we used, particularly for refrigeration.

This is a wonderful example of how you can get it right, in terms of dealing with manufactured goods. You can see a problem, clearly, in terms of deleterious or inappropriate effects in this instance: the effects of chlorofluorocarbons on the ozone layer. When Labor were in government in 1989 we said that we should write down our usage of chlorofluorocarbons and that there would be a direct, scientifically measurable effect from putting this policy into practice. We can say all these years later, in 2003, that the Labor government were right and the scientific advice they had was correct. We can say it was a good, right, proper and just measure, indicating that you can effectively regulate the industry. We can say there is a direct correlation—a simple cause and effect—between the depletion of the ozone layer and the use of chlorofluorocarbons in refrigeration, and in aerosol sprays, and if you reduce those properly you will see a measurable effect on the ozone layer.

We know from reports over the last two years, and particularly this year, that the increase in the rate of depletion of the ozone layer over Antarctica has been arrested. In fact, the indication is that we are on the way
back, in terms of dealing with the depletion of the ozone layer. The measures that we have taken and the measures that have been taken in America and in Europe, have had a direct and measurable effect. In particular, because we are contiguous with Antarctica, what we have done on this continent has borne fruit. We could rightly say that, responsibly, in government we did what was necessary. But, if you cast your mind back, if you think of the voices within the manufacturing industry at the time, and the voices in the debate generally, there was a great deal of hemming and hawing—a great deal of: ‘We don’t know whether this is really possible; there would be a major impact on Australia’s employment.’ It was seen as too hard to do and the cost pressures were seen as too great. I would think that, given the effluxion of time—and we are talking about more than 14 years—everyone in the industry would now argue that this was a relatively easy thing to do once you recognised the necessity for it and coupled that, and the scientific work that went with it, with a government willing to put in tough legislation to make those changes. You can achieve good environmental outcomes if you have those connections.

What does this bill deal with? It recognises that good policy can have good outcomes—and we have seen that over the last 14 years. But it also shows us that when you take a certain set of steps there can be, in the words of one particular past politician, ‘unintended consequences of your actions’. By substituting synthetic greenhouse gases—particularly hydrofluorocarbons and perfluorocarbons—for the chlorofluorocarbons, the gases that initially caused problems with the ozone layer, we have fixed one problem and created another. This bill recognises that fact but does not do anything to fix it. It says we need to monitor this closely and that we need to bring in a regime, through the attendant bills, where we do the proper licensing and so on, and get people to actually think about what they are doing. But there is a continuing problem here. Those gases that were substituted are doing the job of protecting the ozone layer, and the campaign in the seventies and eighties to address this evident problem had its effect. But when they made the change, they did not predict—and it may have been possible to predict but, as far as I know, no-one did so at the time—that the synthetic gases would reduce ozone depletion but at the same time would increase the greenhouse effect massively. What is argued in the explanatory memorandum and the background papers is quite simple. It is argued that these gases present no direct risk to the ozone layer but are potent greenhouse gases, with their emissions having an impact on the climate hundreds to thousands of times greater than emissions of carbon dioxide on a tonne-for-tonne basis.

Reading that, you would think that here is a major and significant problem. The propensity of these two substitutes is to create a far greater problem than we have seen before. What you have to do then, of course, is take the next step and say, ‘What is the relative proportion of these gases in terms of our total use?’ If you look at the background work that has been done on this you will see that they in fact make up only a very small part of our overall greenhouse gas emissions, and their use as substitutes for ozone-depleting substances is on the rise, so we have more of them. You would have to ask how significant a problem this is going to be if they fix one problem and help to create another one—and push that forward.

This bill really does not have much of an answer to that, except to say, ‘They’re there, and we’ll keep a bit of an eye on it, but we’re not really sure.’ If you look at the explanatory memorandum, it says that the bill will deliver on commitments to manage these
synthetic greenhouse gas emissions—and that is detailed in measure 7.2 of the National Greenhouse Strategy. The second reading speech also asserts that the amendments implement the key recommendations of the government’s review of the Commonwealth ozone protection legislation under the national competition policy, but they do not fix the problem. They say, ‘The one core thing they were meant to do in 1989 is done, but we have to leave the rest in abeyance.’

What has the response been to that? The response has been that, in part, the size of the usage is much smaller when compared to the rest of the uses we have and the greenhouse gas problems we have through diesel particulates or through petrol-driven cars. They are a much greater concern than what is created here. Therefore, when you look at that on balance, you would say that they may not be as significant a problem. However, if you are looking at fixing the problem finally, you could propose that, instead of using these substitutes, we should look at natural refrigerants. It has been argued fairly extensively that that is a better way to go.

I am sure that since refrigeration was first discovered and since Australia first established a significant meat trade with Britain—at the end of the 1800s, from 1875 or so onwards—the value of refrigeration has been experienced and appreciated by people at both ends of the trading spectrum. Certainly those people in Australia who had the benefit of refrigeration in the 1940s and 1950s appreciated it. There was not too much of it around in Bankstown on a household basis. I can still remember my grandmother, coming from the country as she did, using extremely old methods of refrigeration until finally she bought an American Kelvinator and introduced the wonderful world of modern refrigeration to her house in Bankstown. If you think about it, it has been just over 50 years of preserving our food and having the benefit of that in what is a very modern context compared to what went before it.

If you look at the broader question of change here, I am sure that if you talk to most of the manufacturers now and you put the question to them: ‘Would you use chlorofluorocarbons again, knowing what you know about their ozone depleting character and nature?’ most of them would say: ‘No. Given that we’ve got these substitutes—the hydrofluorocarbons and the perfluorocarbons—we’re happy to go along and use those.’ If you put the attendant question to them: ‘What about substituting those with natural refrigerants?’ currently they would say: ‘We haven’t seen all that much research around in terms of doing that. We’d like to do the right thing by the environment, but where’s the evidence that these things will do their job?’

There is a correlative problem that is probably greater than what it was some years ago. If I think about the number of refrigerators that I have—I have added it up—I have about seven that I am responsible for. It used to be only one. If I think about my own house, I have one in the garage. Luckily I have that, because the one we bought four years ago broke down a couple of weeks ago. Because Fisher and Paykel are now running out of New Zealand, they do not supply parts except through Queensland via New Zealand. The computer boards they have have to be remanufactured. We have been waiting about four weeks now—if you do not go through a Fisher and Paykel bloke—to get the fridge back. Luckily we still have the old Kelvinator. A number of years ago when my wife wanted to change this, Jack Fitzpatrick, who was the president of the Central Bankstown branch of the ALP and who also ran JJs Electrics and Sporting Goods store, said, ‘Why don’t you just use the old one? It’ll go for another 30 years.’ He was actually quite
right. That used chlorofluorocarbons but it still runs. We know that modern refrigerators, like modern cooking appliances, have built-in obsolescence.

Even when you move from chlorofluorocarbons to the modern equivalents—the hydrocarbons or the perfluorocarbons—you have a problem in that you have to throw these things out on a far more regular basis. Not only is there then the question of what is emitted when you are using them; there is also the problem, if you are going to throw the appliance out—hopefully we will not have to do that; hopefully this board will work—of the impact of that on the environment. That is something that 20 years ago we did not have to take into account so readily. We know that obsolescence is a problem in the computer industry, but the problem is increasing because most of our manufacturing in the whitegoods area is based on a simple proposition. What you get in the marketplace is based on price rather than on price, cost efficiency, quality and so on. While most whitegoods are based on price, they have a very short-term running cycle.

Economies have changed over that 50-year period since we have had extensive refrigeration in Australia and, therefore, the impacts have changed as well. Those things which can cause deleterious effects can do so in unexpected ways. Very few people would have expected that they would have to replace their whitegoods on such a regular basis. I know, Madam Deputy Speaker Gambaro, that you and the minister at the table, the member for Curtin, and all of those people, male or female, who have had to deal with these domestic problems understand fully that the world has changed and that we have this increased obsolescence. As legislators we need to be aware of that, and the bill that we have before us now deals with only part of the problem.

It is an indication as well that, when you are dealing with changes in technology, you are also dealing with unexpected or unintended consequences. You can hope and expect that natural refrigerants might be used. My grandmother used one—it was called a block of ice. We know that, prior to ice becoming significantly available, ice-runs went through the streets, such as those in Greenacre. In fact, my grandfather had an ice-run in Bankstown in competition with the Foxes. Ice was quite available and was a natural refrigerant.

It was better, I suppose, for the environment than the kerosene based fridges that were used at the time but no-one has yet come up with something that is significantly easy to use in terms of natural refrigerants. Those who argue that it is simple to solve these problems can readily say, ‘Why don’t you use the natural methods?’ Companies would do so if those problems were easily solved. What the legislation indicates is this: at any particular point in time, whether it is 1989 or 2003, a government acting in the best interests of its people will use the current state of scientific knowledge to attack a problem. That is what we did in 1989. That is when the projection was that if you decreased chlorofluorocarbon use we would be able to fix the problem with the ozone layer. All the scientific evidence that we have indicates that that is in fact coming true, that the probability is that we will be able to solve that one. Now we have a correlative problem in terms of greenhouse gas emissions.

As the member for Bonnython, who will be speaking later in this debate, has pointed out time and time again, the larger problem we have with greenhouse gases is the fact that our energy uses are so dependent on petrol or diesel products and we do not use the great natural advantage that we have got—natural gas. Its impact on greenhouse gases, if it were more broadly adopted, would be far
less than what we have got from petrol-driven engines and the effect throughout industry of using diesel. Australia does not have a policy which would force people, by dint of circumstance but also by dint of government action, to really look closely at their energy use and the effect that energy use has on greenhouse gases.

Labor forced that to happen in 1989 with our legislation on ozone protection. But where the synthetic fuels have created a greenhouse problem we do not have any kind of government grasp of this significant problem and of the fact that we have major overuse of not just these gases but also petrol and diesel. By substituting natural gas, we could therefore dramatically cut our use of those greenhouse gases, deliver to the people of Australia a better product at a cheaper price and revolutionise the way that we deal with the problems we have now in terms of the Kyoto protocol by pushing in that way. What we have seen, as no doubt the member for Bonython and my colleagues will attest, is no government commitment whatsoever to grasping this problem by understanding it or putting in place a set of protocols that could actually deal with it. This legislation, in passing form, attempts: (1) to recognise the strength of what Labor did (2) to press forward with the solutions that we provided, but (3) to not really have a new program put into place to deal with the unintended consequences of those synthetic greenhouse gases that have caused this significant problem. (Time expired)

Mr HUNT (Flinders) (8.33 p.m.)—I am delighted to rise to speak in this cognate debate on the Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003, the Ozone Protection (Licence Fees—Imports) Amendment Bill 2003 and the Ozone Protection (Licence Fees—Manufacture) Amendment Bill 2003. I do so knowing that earlier today I rose and spoke about the death, the passing, of Gareth Hardin, who wrote 'The tragedy of the commons' in 1968 and published that in the journal *Science*. As I mentioned earlier today, that was one of the seminal environmental treatises of the 20th century. When I spoke of it earlier today, I spoke of it in the context of a localised example of a tragedy of the commons: the soiling of Gunnamatta beach, the staining of the oceans and the waste of water which occurred off my own electorate. This legislation addresses the alternative. It addresses a global example of the tragedy of the commons. Hardin's thesis was simple. Hardin's thesis was that, in a world full of rational actors, there is a certain amount that each of us could do and each of us could contribute to the environment. If there is a group of herdsmen who surround a commons and if each grazes one cow, that commons can accommodate them. If, as a rational actor, an individual herdsman grazes an additional cow, that is to his or her benefit. But if all do the same, they exhaust that resource. That is essentially what is meant by the commons: that intuitive commonsense for an individual amounts to collective failure when allowed without looking at it from an overview.

That is what this legislation and the whole notion of modern environmentalism focuses on. It focuses on one word, one concept: externalities. Externalities are those things which are by-products of an individual's or a group's actions and which are not borne by that individual or that group. When the actions of a series of groups become the actions of states, which become the actions of nations and which become the actions of continents and there is no single collective responsibility, then we have systemic failure. That was what Hardin recognised in 1968, that is what Rachel Carson recognised half a decade earlier with a treatise called 'Silent Spring', and that is what came to pass with
the gradual erosion and depletion of the ozone layer. That ozone layer is part of our protective shield. It shields us from the sun’s rays, it allows our crops to grow and it protects many parts of the way in which the natural planet functions. Our actions taken collectively, not with collective malice but with collective indifference, were leading inexorably to not just depletion but collapse of the earth’s protective ozone layer. In that context, these bills being debated cognately are part of the global response, not just the Australian response, to dealing with the problem of depleted ozone. Fundamentally, at their best these bills are about making an investment not for us but for our children and for their children so that the legacy we bequeath is not a worse world but an improvement in the quality of life without the trade-off of destroying the very incubator in which they live.

Essentially, the Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003 amends the Ozone Protection Act 1989. It introduces new controls for substances that have detrimental impacts on the atmosphere. They are, firstly, ozone depleting substances—those which through collective use and the effluxion of time destroy the ozone layer—and, secondly, synthetic greenhouse gases which are used as alternatives to ozone depleting substances. One of the great dangers we have is the very simple notion of robbing Peter to pay Paul if we try to solve one problem by creating a problem in another area, albeit inadvertently. These controls are introduced for the purposes of implementing Australia’s obligations to minimise the consumption and emission of ozone under the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances That Deplete the Ozone Layer and the United Nations Framework Convention on Climate Change.

I want to address these concerns in three phases: firstly, to understand a little of the background to these bills; secondly, to understand their importance; and, thirdly, to examine some of the core provisions which they enshrine. Looking at the background, what we see is that ozone depletion is a global problem, but it also provides perhaps the pre-eminent example of international cooperation to tackle an international problem. It is a significant problem, not just globally but in particular for Australia, because of the specific damage to that portion of the ozone layer which overreaches Australia. The causes of this significant ozone loss over Australia, particularly over southern Australia and the polar regions, have been the growing levels of ozone depleting substances in the upper atmosphere, known as the stratosphere.

The 1989 Montreal protocol has provided the framework for Australia’s response to ozone depletion, and it has provided the framework for an international response. The previous steady rate of increase in the global atmospheric concentration of ozone depleting substances has slowed significantly in recent years. Scientists attribute this to adherence to the bans in the Montreal protocol. It is a successful example of an international agreement acting in the collective interest. In that context, global measures are seen to be having an effect. Critically, as a result of the decision to introduce this, there has been a great growth in alternative technology. It is a classic example of sustainability driving innovation. We forget sometimes when we look at the status quo of the world that we are incredibly innovative. When we resist the alternatives and stay with the old ways, we are often taking a more inefficient path. As a result of the Montreal protocol and the obligations we imposed upon ourselves, there are now many alternatives to ozone depleting substances.
What has happened in Australia is that we have phased out chlorofluorocarbons for general use. Only very small amounts are now used for essential purposes. Halons and methyl chloroform have also been phased out. In addition to that, in the phase-out process other compounds—hydrochloro-fluorocarbons—were substituted for CFC use. Importantly, these have a much lower ozone depleting potential than CFCs, although there is still damage and we must work to provide alternatives and to eliminate these substances. What is interesting is the overview. Emissions are being held at 1989 levels. Not only is the phase-out target of 2020 on track; Australia is ahead of its obligation in its targets for its 2020 goals.

One of the things I talked about earlier today was the notion of a national sustainability initiative—a broad based initiative which covered the four spheres of water, land and biodiversity, human settlements and energy, and the atmosphere. What we see here is one example of setting a generational goal, setting a regime in place to achieve it and establishing a protocol and a policy program by which we set out to pursue physical changes in the way in which we live. That is a process that I believe we need to take part in as a nation, to set across all of those core sectors so that we have goals for ozone depletion, for a reduction in land clearing and for establishing in Australia total wooded biomass—or the total volume of wood that is alive and growing in our fields. It is so that we have goals for the flow of water and for the absolute cessation of all ocean outfalls by the year 2025. The target of 2020 for the elimination of CFCs and other ozone depleting substances from the Australian landscape is one which I believe is a single example of what should be a national, broad-based approach to the creation of a national sustainability initiative.

These bills have two primary purposes: firstly, to ensure that Australia has a truly national regulatory scheme for the management of ozone depleting substances and synthetic greenhouse gases used as their replacement and, secondly, to ensure that Australia—both for reasons of self-interest and good citizenship—remains an international leader on action to preserve the earth’s ozone layer. Their two purposes are, firstly, to ensure that we have an adequate, real, hard, practical regulatory scheme and, secondly, to show that we are playing our part, doing our bit and holding up our responsibilities. In that context, what we find when looking at the importance of the bills is that they set out to address the issue of ozone depleting substances and synthetic greenhouse gases.

I also want to mention, very simply, some of the core provisions of the bill. Item 4 amends paragraph 3(a) of the act to replace the reference to the ‘convention and the protocol’ with the ‘Vienna Convention and the Montreal Protocol’ so as to clarify our international agreements. Perhaps most significantly, item 6 amends the bill to incorporate two objectives into the act: it institutes controls on the manufacture, import, export and use of substitute greenhouse gases to give effect to Australia’s obligations under the UN Framework Convention on Climate Change; and it promotes, argues for and establishes the framework for responsible use and management of all ozone-depleting substances controlled under the act so as to minimise their impact on the atmosphere. There are a lot of elements but, essentially, it puts in place a harder, more advanced regime than that which already exists for ozone-depleting substances and substitute greenhouse gas substances.

I want to step back for a moment and return to Garrett Hardin. Looking back at the work he completed almost 35 years ago, we see that his thesis was spot-on. It recognised
that our actions, which may be taken inadvertently and collectively, could lead to a negative and, in some cases, potentially catastrophic effect either at the local level or at the global level. These bills are an acknowledgment of Garrett Hardin’s work, which recognised that we can take steps and transform the way we do business, and we can take steps and have an impact on our global environment. We are already seeing a dramatic change in the way in which we deal with ozone. There is more to be done, whether it is in our greenhouse gas emissions, in our water use or in our land clearance. These are things which my generation has a responsibility to take up, and we are doing that. We do it with a passion, with a commitment and with fervour. I am delighted to commend these bills to the House, and I wish them safe passage.

Mr MARTYN EVANS (Bonython) (8.47 p.m.)—It is the case that the world has recently started to confront a number of global problems in relation to the environment, and the Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003 and related bills deal with two of the most serious of those problems. The first one I want to refer to is the challenge of the depletion of the ozone layer by a number of chemicals which have been entering the atmosphere—such as the chlorofluorocarbons—and which have been released over recent decades as a result of industrial processes. This has brought about the well-known problem of the ozone hole. It has increased the amount of ultraviolet radiation which can strike the earth, particularly in Australia where we are most vulnerable to the problem.

The challenge has been met by the Montreal protocol, although the history of that has been somewhat chequered since the world first started to address this issue. Indeed, it is worth noting that, at the time this problem was first identified by scientists, it was the United States government which first wanted to address it seriously. The European Community to some extent resisted that challenge by the United States and actually took some time to come on board to meet that global challenge and agree to a worldwide measure that would seek to prevent those chemicals from escaping into the atmosphere and depleting the ozone layer. Finally, a protocol was adopted which has had a relatively significant impact on the escape of those chemicals into the atmosphere and which has been fairly much accepted by the worldwide community. It has had some degree of success by way of scientific and verifiable measure. It has had a degree of achievement, although it will be many years—from recent reports, I understand probably up to 50 years—before we can declare victory and move on from that particular challenge and see the ozone hole repaired. As is the case with many of these environmental challenges, it is relatively easy to release these compounds into the atmosphere, into the water or into the soil, but it is quite difficult to see those chemicals degraded and removed from the global environment. Of course, that is especially the case with many of these chlorofluorocarbons and related compounds. They are long-lived compounds in the environment and they take some time to break down, whereas they readily mop up ozone and easily remove ozone from the atmosphere. Their deleterious impact on the environment is quite quick. It is much harder to take them out of the equation that it is to put them into the equation. So we will have to wait a little longer for the cure to take effect.

However, the fact that the world has been able to agree, in the relatively short space of a decade or so, on a global protocol which has had reasonable success in being enforced throughout the world at a practical level in
terms of stopping the trade in those chemicals, stopping the production of those chemicals and seeing the introduction of a reasonable range of substitute chemicals and industrial practices which will prevent the release of those chemicals, as other members have indicated in this evening's debate, I think is a great credit to global organisation. It is also a great credit to global science in identifying the problem in the first place, in cooperating on a collaborative basis, in tracking the problem, in bringing it to the attention of the world's governments, in seeing the problem through in terms of enforcement, cooperation, and prevention of the manufacture and distribution of those chemicals, in seeing the outcomes through and, finally, we hope, in tracking the gradual reduction of the ozone depletion in the atmosphere and in measuring the gradual and total closure of the hole. However, more than that, because that is just a final symptom of the ozone depletion, I suspect there will be total resolution of the problem in a decades-long time frame, and we are well on track to that.

That relates quite well to the other aspect of this legislation, which is of course greenhouse, but the two are more interrelated than that. They are both global problems which relate not only to the global science community, the global diplomatic community and governmental communities but also to the global industrial communities and the global economic community, because all these things are interrelated in how we deal with them. Just as the world comes to grips with environmental problems at this level, to some extent we also fortunately have the infrastructure at the scientific and diplomatic levels to begin to grapple with these problems. I would certainly accept, as many other members would as well, that we do not have the infrastructure at the scientific, diplomatic and governmental levels to resolve them as such, but we certainly—fortunately—have the infrastructure at those levels to at least make a reasonable effort to come to grips with them.

That is why we have before us, in another context, treaties such as Kyoto as well as those like the Montreal protocol. As a member of the treaties committee of this parliament, I have seen many other related documents which at least show the world's governments are making a serious effort to deal with all these interrelated efforts. Of course, many of the same chemicals which we have had to deal with at an industrial and scientific level in relation to the ozone problem are also greenhouse gases, and vice versa: those gases which contribute significantly to the greenhouse effect also contribute to ozone depletion.

It is very much the case that we need to bring some serious science to dealing with both of these problems. But it is not only science that needs to be brought to bear when dealing with them. It was the case with ozone and it is much more so the case with greenhouse that we need to apply much more than just science, although science of course is fundamental to identifying and quantifying the problem and looking for solutions. But economics and statistics are also vital parts of this fundamental equation. It is those to which I would like to turn the balance of my remarks this evening and when I later resume my remarks.

As is the case with the greenhouse issues, with which this bill also deals, statistics and economics will play a fundamental role because the greenhouse question, like the ozone question, will be played out over a very long period of time. Part of the reason for that is a statistical and economic question. While it is the case that ozone-depleting chemicals are in the atmosphere for a long period of time doing the damage that they do to the ozone layer, it is also the case that car-
bon dioxide, methane and other greenhouse gases—there are at least six major greenhouse gases that we have identified, along with water vapour, that do serious harm to our planet in the context of greenhouse and accumulating heat—remain in the atmosphere for a long time. We need to look at the statistical base of how those who are looking at the greenhouse issue have done their calculations because this will have a significant policy impact on how parliaments and governments deal with this issue.

I would like to draw the parliament’s attention to the work of Ian Castles and David Henderson because it is very relevant to the way in which we approach this. Ian Castles is well known to Australians and Australian government officials. He is now at the National Centre for Development Studies at the Australian National University but he was formerly the head of Australia’s national office of statistics, the ABS. David Henderson, who is now at the Westminster Business School in the UK, was formerly the Chief Economist of the OECD. So both gentlemen are very substantial figures in the statistical world with very significant backgrounds.

Both have been recently doing some work on the way in which we might look at the background calculations which underlie the Special report on emissions scenarios. This report was put together by the IPCC, the Intergovernmental Panel on Climate Change, which was the base work for the Kyoto treaty—the base work on which everyone looks at climate change. So it is very important that when you look forward at the projections—the temperature change projections which underlie all the work on Kyoto, greenhouse and temperature change—you look at the underlying statistical work which projects forward the CO₂ increases in the atmosphere and you look at the underlying statistical work which supports it. These two gentlemen have done a lot of work on that and they have looked at the economics and the statistics which underlie that basic work.

While I and my colleagues on this side of the House could not be described in any way as greenhouse sceptics—far from it—I take the view very strongly, as do my colleagues, that we face a very serious challenge from greenhouse and global warming on planet earth; that climate change, like ozone before it, is the most serious environmental challenge that the planet faces at the moment; and that the Kyoto treaty is one of the best ways we have of addressing that challenge. So now we have to look forward and see how we can address these issues in a very serious and stable way.

To do that we have to look very closely at the emissions scenarios that underpin these challenges. We need to be certain that the statistical bases and the projections which underlie them are as sound as they possibly can be so that, when we make projections about the temperature changes and we ask governments, populations and voters to make sacrifices and changes to the underlying economy that supports our own country and other people’s economic bases, we do it in a way that we have confidence in and that we can ask them to have confidence in. To do that, we have to be very certain of the projections we make. That is a very important basis for the work which Henderson and Castles have done and which I would like to share with the House in this context. The work they have put forward is very fundamental to this. In fact, some of those projections do cast doubt on the basis of the work of the IPCC.

Debate interrupted.

ADJOURNMENT

The SPEAKER—Order! It being 9.00 p.m., I propose the question:

That the House do now adjourn.
Child Abuse

Ms GRIERSON (Newcastle) (9.00 p.m.)—I rise in support of a constituent of mine in Newcastle, Mr Chris Gorman, who is in the chamber tonight. Chris has achieved something extraordinary. He has sufficiently overcome the emotional distress caused by his personal experience as an innocent victim of child abuse to publish a moving book outlining his life’s journey. This journey winds through a childhood characterised by poverty, neglect, grief and sexual abuse, fortunately towards stronger friendships and more loving family relationships but most importantly toward some understanding, acceptance and self-respect. But the journey has been a troubled one, punctuated by depression, mood swings, emotional breakdowns and relationship failures—nothing atypical for those people traumatised in their youth by abuse.

Chris was born in Limerick, Ireland, just after the end of World War II. When he was four, his mother died and although he had a father it would be reasonable to say his father was an ever-absent one who basically abandoned his parenting role. What Chris may not have understood is that the loss of one’s mother before the age of 12 is considered to be the trauma most likely to leave a legacy of emotional scarring. But of course there was more for Chris.

His book is titled A Hole in My Heart—a hole and an emptiness created by the loss of his mother at such a tender age, a hole that has taken a long time to fill. Chris experienced sexual abuse from the age of seven in both the home of relatives and an orphanage—that is, in places where children should be both secure and safe. Last week everyone’s ABC televised a Welsh movie based on child abuse. It was truly a moving and revealing exposition of the reality of child abuse. At the end of that movie a silent statement was shown telling that, of the 52 council areas in the UK, 42 were undergoing investigations into the abuse of children in council institutions, a terrible indictment on the caring role of government in Britain, which is of course where Chris grew up. Regrettably the movie was shown just before midnight, not really a popular viewing time—but then child abuse is not really a popular subject, although it is experienced by so many.

In his 20s, Chris had what he sees now as the good fortune to come to Australia, where his new life began. Although he would be grateful to call Australia home, his time here has had its struggles too, particularly with his emotional health and the health of his relationships. But Chris was eventually assisted by a TAFE counsellor after enrolling at TAFE to take on the challenge of improving his literacy and numeracy skills, which were affected by his disjointed education and the troubled times of his youth. I must say this illustrates the wonderful spin-offs for students of all ages provided through our public education institutions.

In his book, Chris urges others who may have had the same experiences as he has had to take up counselling opportunities. Although counselling has allowed Chris to confront his past and his suffering at the hands of adults, it has also brought to life again—as it does—the dreadful memories of domination and brutalisation by adults, betrayal by adults who should have listened and believed him and helped him, the lack of trust he then had for others, the fear of rejection living with him forever and the guilt and shame no child should ever feel. I quote from Chris’s book. He says:

I’ve had to grapple this ‘hole in my heart’ for most of my life—in writing this book I am closing the hole and look toward a healthier future—with clarity, strength and pride.
I commend Chris on his achievement in publishing this book, which I am told is a sellout, and for his attempts to help others. Chris’s challenge now is perhaps the most difficult one, and that is to find ways to let go.

Recently in Australia we marked Child Abuse Week and poverty week. Chris’s story reminds us that Australian children are still at risk of abuse and neglect, and it is to our shame that we as a nation have not sufficiently responded to protect our most vulnerable and to help those who have been harmed to recover and heal. Having spent three decades in schools as a teacher and principal, I know the pain and grief when a child discloses their experiences of abuse. We must as a nation make more concerted efforts to protect our children and ensure their early lives are ones of wonder and joy instead of struggle and harm. I therefore recommend to the House Labor’s plan for a national commissioner for children and young people and encourage the government to do more to protect our children wherever they live and whatever their circumstances.

One clear message came out of the public meeting. It is a message I rise tonight to convey not only to the Bracks state government but, frankly, to anybody who will get behind this project: build what we were promised, Mr Bracks. Build the Scoresby Freeway as it was promised. Build it completely. Build it without tolls, and overturn your backflip decision on the imposition of tolls on this freeway project. There is no question, as we heard at the public meeting, that the Bracks government could do that. It could honour its promise if it chose to. But it has chosen not to. The Bracks government has chosen to support other road projects in the northern and western suburbs of Melbourne.

The community that I represent wants to know what it has done wrong. What has it done wrong? It is a hardworking community, a community that, within the Scoresby corridor, boasts about one in 20 jobs in our country, where there is more than the population of Adelaide using this facility. Why are we not deserving of an arterial ring-road, the same as those in the northern and western suburbs have received, which has driven investment, improved opportunities and improved lifestyle for those people? There is a veritable wagon wheel of freeway infrastructure in the north and the west of Melbourne, and the community that I represent just wants a fair go, to make sure we can put our best foot forward into the future.

What was unexpected at that public meeting was the strong sentiment amongst those present that our local councils had let us down. They referred to the work of Knox City Council and Maroondah City Council in taking the fight up to the Bracks government and saying that this is a project that matters to them. The call from our meeting, unanimously passed on a motion for action from the floor, was for:

... Frankston City Council, Mornington Peninsula Shire Council, Casey City Council, Kingston City
Council and the City of Greater Dandenong to stand up for the interests of their communities and vigorously advocate a toll-free Scoresby Freeway...

That is what Knox City Council have done. That is what is happening further up the corridor. Why are we not getting that representation in our community? There is the capacity to implement that project, and I will talk more at another time about that project and why it is so crucial to the community that I represent.

The second issue that I would like to briefly mention tonight is Point Nepean. My first suggestion is that a lot of people need to settle down for a moment and have a look at what is really going on. Point Nepean is fine. The point is secure. The point is being gifted to the state government as part of the national park. That seems to be lost in some of the rhetoric that is going on, as if that tip of the peninsula—a magnificent part of our region—is somehow not going to be part of the national park. That is wrong. That is part of the 209 hectares the Commonwealth has offered to gift to the state government.

My only regret is not testing the bona fides of the state government to properly manage that point and to properly invest in that area when we see from reports from expert advisory councils to the state government that Parks Victoria queries its own capabilities and its own resources to carry out these kinds of tasks. You would have seen a couple of weeks ago in Monday’s Age Parks Victoria itself being part of an inquiry into the agency’s performance capabilities and responsibilities and publicly conceding that it is not equipped and resourced to properly manage and conserve many of the built heritage assets under its control. Parks Victoria itself identified its core competencies as being the management of nature conservation areas. So even though 209 or 210 hectares may be within their competence, is the commitment there from the state government? I think that should be tested before any of that land is handed over to make sure they will invest in the habitat restoration and regeneration of native species in that area.

What is clear from Parks Victoria’s own evidence to Heritage Victoria is that it is not capable of managing the 65 heritage listed buildings in the area that has gone out for public tender. That is why the community consortium has brought to the table the resources and the expertise to make sure those heritage conservation values that are crucial in that area are currently before the government and the preferred tenderer to look at managing into the future. It is crucial that those resources and those capabilities be provided, and Parks Victoria says it has neither. It has neither the resources nor the competence, according to its own testimony. (Time expired)

Telstra

Mr MURPHY (Lowe) (9.10 p.m.)—I bring to the attention of the House an item of business that appears in the Telstra annual general meeting 2003 notice of meeting—scheduled to take place this Friday, 14 November. This item should be of serious concern to all members of the House. Specifically I refer to item 3 of the said notice at page 7, which reads in part as follows:

In accordance with Article 16 of the constitution and ASC Listing Rule 10.17 at present, the maximum aggregate amount payable annually as fees to non-executive directors of the Company... is fixed at A$1,150,000 (per annum).

Item 3 goes on to say:

The maximum aggregate fees payable to directors were last increased at the 1999 AGM from A$750,000 to A$1,150,000 per annum.

The proposal before the meeting is to increase the maximum aggregate amount of directors’ fees by A$170,000 to A$1,320,000 per annum.
The reasons given for the increase in directors’ fees as stated in this item are:

The increased limit:

- Has regard to the increased size, nature and complexity of the Company’s operations and the increased responsibilities of the Board; and
- Compares favourably with the fees of directors of companies of comparable size.

What a hide the directors of Telstra possess! What audacity of the board to move this item whilst Telstra flounders in a sea of miserable corporate performance! The so-called captains of industry on the board of directors of Telstra should be flogged then sacked for their pathetic mismanagement and abysmal market performance over the past 12 months, not rewarded with a $170,000 per annum pay increase for incompetence. This pay increase is a huge remuneration hike of 14.78 per cent in one year. The 1999 increase from $750,000 to $1,150,000—an increase of $400,000 per annum—was an increase of over 53 per cent. I cite the News Interactive media statement titled ‘Telstra reappoints Ziggy’, dated 14 October 2003, which states:

The announcement—to reappoint Ziggy Switkowski as Chief Executive—comes on the eve of Telstra’s full-year result, which analysts forecast to slump 17 per cent to around $3.03 billion, following the $965 million writedown of its Reach joint venture in Asia made in February.

Analysts said there were concerns over the telco’s ability to hold onto its current 45 per cent share of the Australian mobiles market, as number two player Optus continues to increase its user numbers.

The media release notes:

Dr Switkowski’s basic remuneration package was $1.46 million, but he could earn an extra 75 per cent in performance bonuses.

What we have here is the clearest example yet of why Telstra cannot afford to be sold into majority private interests. This item represents the most flagrant breaches of any performance standard imaginable. The foreshadowed Telstra dividend of 12c in my view exists only in preparation for the now failed sale of Telstra, as the Senate so wisely rejected. As I said of Sydney airport, I now say of Telstra. Yet again we have the government fattening the lamb for the kill. Again we see the unsustainable and unjustified issuance of grossly inflated dividend distributions coupled with totally unjustifiable board of director remuneration packages totally out of proportion to what really matters—the performance of the corporation. I say again: the directors of Telstra should be flogged then sacked. They are losers. Under their stewardship, Telstra is a loser. I join with the shadow minister for communications, Lindsay Tanner, and call on the Howard government to exercise its 51 per cent and controlling interest to vote against item 3 next Friday at the forthcoming annual general meeting of Telstra.

Flinders Electorate: Point Nepean

Mr HUNT (Flinders) (9.14 p.m.)—I rise to follow on from the points raised by my friend and colleague the member for Dunkley in relation to the future and protection and enhancement of the land at Point Nepean within my electorate of Flinders. I want to do two things: firstly, I want to talk about what we have fought for and what we have won; and, secondly, I want to expose the fraud which the state government is putting about in relation to its own proposal.

In terms of what we have fought for, 18 months ago as a new member, along with the community reference group which was to be
formed, I set out to achieve three things. Firstly, we set out to achieve a ban on residential housing on Point Nepean for all time—and it is a difficult environment to do that. We see in Victoria that the Victorian government is proposing that parts of Devilbend, parts of Royal Park, parts of the Royal Showgrounds and parts of Kew Cottages will all be subdivided for private residential housing. All those plans remain on the table, but at Point Nepean we have a guarantee for all time that that land will not be subdivided and that there will be no private housing. The only threat to that is at page 8 of the state’s proposal, where for Police Point, the single most sensitive area, it proposes holiday homes. The state proposes holiday homes on Police Point, at page 8. This state plan for a park is a fraud. It is a fraud because in writing the state proposes holiday homes on the most sensitive part and it is utterly consistent with what it is doing with Royal Park, the Royal Showgrounds, Devilbend and Kew Cottages.

The second thing we set out to achieve was to keep the entire area in 100 per cent public ownership, and we have done that. We have kept the entire area in 100 per cent public ownership. Again, unlike the current Victorian government proposals for selling and subdividing parts of Royal Park, the Royal Showgrounds, Kew Cottages and Devilbend.

The third thing we set out to do was to protect and to utilise the 65 heritage buildings which form the old Norris Barracks. There are 65 largely empty buildings and they are there. You can either let them lie and become derelict over time—as the state has done with the one building it has had responsibility for, Pearce Barracks, which has been in state hands for 15 years and is a hulking wreck and a singular disgrace—or you can use those buildings for education, heritage and community purposes and accommodation. That was the plan of the community reference group. That was the plan which we set out to achieve. That was the plan, incidentally, of the Victorian National Parks Association, the National Trust and the state government. That is what we have achieved in an extraordinary and tremendous breakthrough. The Australian Maritime College is looking at setting up a maritime and maritime precinct which would include marine education, heritage with the attraction of the maritime museum of Victoria, a space for the Bunnerong elders, the Dolphin Research Institute and other community groups which are likely to come on board.

To create a centre for all Victorians for all time which is environmental and which hopefully over time will rival those great international oceanographic institutes, such as Wood’s Hole and Cape Cod, the Bodega Marine Laboratory and the Scripps Institute in California—that is what we set out to achieve and that is what we have achieved. All those people associated with the community reference group who have pursued that vision with a passion, who have been criticised by many who have other alternative agendas, deserve the most extraordinary credit because they have put in hours and hours as volunteers. There are many good people on all sides of the debate. There are many good people and I respect and value their work, but what we have achieved are three things: no residential housing, unlike the state’s proposal at page 8 of their plan for holiday homes on Police Point; 100 per cent public ownership; and a marine and maritime centre with the bringing of the Australian Maritime College as the lead agency.

I want to deal very briefly with the state’s hypocrisy. At page 8 of their proposal, in talking about a park, they call for holiday homes and for 230 beds—commercial ac-
commodation—including a three-star hotel.

(Time expired)

The SPEAKER—I should indicate to the House that consistent with an agreement reached by the whips it is my proposal to allow the remaining part of the adjournment debate to go to opposition members.

Cunningham, Mr Ted

Mr STEPHEN SMITH (Perth) (9.20 p.m.)—Tonight I pay tribute to the late Ted Cunningham, a former member of the Legislative Assembly of Western Australia. Edward Joseph Cunningham—or Ted, as he was known universally to all in the Australian Labor Party—passed away in Perth yesterday after a relatively short but serious illness. Our sympathies go to his wife, Julie.

Ted was the Labor member for Balga from March 1988 and, through boundary and name changes, was for almost 13 years variously the Labor member for Balga, Marangaroo and Girrawheen until his retirement in February 2001. Ted was very well regarded in his community as a good local member of parliament.

I first met Ted in the late 1970s, but it was during the mid-1980s that my close professional and personal dealings with Ted began, first as State Secretary of the Western Australian branch of the ALP and then as the member for Perth.

Ted had almost 50 years of aggregate membership of the ALP, firstly in Queensland and then in New South Wales and Western Australia, where he arrived in the late 1960s or early 1970s. That he was both universally liked and respected in the Western Australian branch of the party was reflected by his elected membership of the party’s Administrative Committee, as a state executive and state conference delegate of long standing and culminating in his recent award of life membership of the Western Australian branch of the ALP. He was both chairman of the state parliamentary Labor Party and Labor’s Legislative Assembly whip during his time in the state parliament.

Ted was very Labor, he was very loyal, he was a very early Labor devotee of Chinese restaurants as a place for camaraderie and fundraising, and he was a great editor of legendary local newspapers and newsletters. In very many respects I believe his most enduring attribute was always bringing on young people, both as party activists and as potential parliamentary members.

The Western Australian branch of the Labor Party lost a lot of history yesterday. We lost a good colleague and a good friend and for many of us things will not be quite the same again. I extend my condolences and best wishes to Julie.

Cunningham, Mr Ted

Mr EDWARDS (Cowan) (9.22 p.m.)—The death of Ted Cunningham—a longstanding ALP member who was presented with his life membership by the Premier, Geoff Gallop, just a few days ago—is a time of sadness. Ted was elected to the seat of Balga in 1988. He was elected at a by-election following the resignation of Brian Burke. Ted had a reputation as a hard working parish pump member and he built a strong following of supporters—supporters who were kind enough, for instance, to support his annual St Patrick’s Day dinner, always at a Chinese restaurant, always with the proverbial raffle. Indeed, I think Ted could have claimed to be the original king of chook raffles. The seat changed to Marangaroo and then became Girrawheen.

I went to see Ted in hospital on Saturday, along with the former Premier, Brian Burke. Ted was asleep for much of the time of our visit. When he woke briefly and recognised Brian his eyes lit up and we enjoyed a brief time of old and warm friendships. Ted is sur-
vived by his wife, Julie, who has been his constant companion during his illness.

Ted and I shared common boundaries within our respective state and federal electorates. Indeed, Ted gave me considerable support when I stood for Cowan and, no doubt, my victory was in part due to the standing he had in the community and the networks he had built during his time as member. Ted’s very close friend, Batong Pham, was by his side when he passed away. Batong was one of the many whom Ted had helped during his time as a member and that relationship developed into a strong and enduring friendship. As the chair of the Western Australian federal parliamentary Labor Party I extend on behalf of all federal members and senators our deepest sympathy to Julie. Our thoughts go out to her during this difficult and sad time.

Cunningham, Mr Ted

Mr BEAZLEY (Brand) (9.24 p.m.)—It is with great sorrow that I join my two colleagues from Western Australia, and I am sure the three of us speak for the entirety of the Western Australian federal delegation as we farewell a dear friend, a great Labor Party worker, a very good member of parliament indeed, and the devoted husband of Julie. It is particularly to Julie that I want to extend my sympathies tonight. She will miss Ted enormously, as we all will.

It will be one of the profound regrets of my life that, unlike the honourable member who has just spoken, I was not able to see him in his last few days. I had heard, after the presentation by the Premier of Ted’s well-deserved life membership of the Labor Party, that he still had some time left, but that information was wrong. I regret very much not being able to share a final few moments with a man who has been a close friend of mine since the late 1960s when he first arrived in Western Australia and immediately joined the Labor Party.

We were up to all sorts of shenanigans in those days—all entirely legal. I can recollect Ted being one of the founding organisers of an outfit called the John Curtin Labor Club. It was a marvellous opportunity for dining, a marvellous opportunity to listen to good speakers, and a wonderful opportunity to make mischief—those were all the sorts of opportunities that Ted enjoyed enormously in his life. I do not think Ted in those days would ever have anticipated being a member of parliament, because Ted was a very humble man. Those sorts of jobs went to other people. His role in life, as mentioned by previous speakers, was to bring young people on in the political system and to give every encouragement to those he thought might succeed and make a serious contribution to public life through the Labor Party. But, in fact, loyalty was its own reward and he secured endorsement ultimately for parliament and pursued a very credible career in the legislative assembly. Not many people rise to be Chief Whip; not many people rise to chair their parliamentary Labor Party—he did both.

In addition to the service at the centre there was service at the local level. He was an extraordinarily active local member. The member for Perth mentioned a couple of the publications in which he was involved. I remember the Marangaroo Leader, which changed the first element of its title through his political career but not the second. I once asked him if there was a priest or a pastor or a rector who had failed to gain entry into the Marangaroo Leader and he said ‘No’—he covered them all.

Apart from being a devoted member of the Labor Party, he was a devoted Christian and a very strong Catholic. Therefore we can be assured that his faith sustained him in his
last moments, but he was sustained as well by his good friends, many of whom, unlike me, did make it to his bedside. He was sustained too in the knowledge that he lived a good life and a life of great achievement in my home state of Western Australia. Along with my colleagues I extend my sympathy to Julie and to the community of which he became part. Through Julie he became a very intense participant in the Filipino community and in the broader Asian community in his various constituencies. He was a good-hearted soul and we are going to miss him terribly.

Question agreed to.

House adjourned at 9.29 p.m.

NOTICES

The following notice was given:

Mr Hawker to move:

That this House:

(1) recognises the respect accorded to all Australian Prime Ministers when they visit other countries, including the United States of America;

(2) notes the courteous and dignified manner in which the President of the United States of America, the Honourable George W. Bush, conducted himself during the joint meeting of the House and the Senate on 23 October;

(3) acknowledges the courteous and respectful way in which the overwhelming majority of Members and Senators participated in the proceedings;

(4) deplores any disorderly and/or offensive behaviour by a Member or Senator towards any guest of the Australian Parliament.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Superannuation: Contributions
(Question No. 636)

Ms Jackson asked the Treasurer, upon notice, on 19 August 2002:
(1) How many employers are estimated to be (a) non-compliant and (b) partially compliant with their legal obligation to pay superannuation guarantee contributions (SGC) for their employees under the Superannuation Guarantee (Administration) Act.
(2) How many employers are estimated to be covered by the Act.
(3) How many employees are estimated to have not received the superannuation guarantee contribution from their employer to which they are legally entitled.
(4) How many complaints did the Australian Taxation Office (ATO) receive from employees regarding the non-compliance or partial compliance of their employers with the Act each year since 1992.
(5) How many of the complaints received by the ATO were resolved with full payment by the employer of all outstanding SGC monies, each year since 1992.
(6) From the time when a complaint is made to the ATO by an employee regarding non-payment of SGC monies, what is the average time it takes the ATO to contact the employer for the monies.
(7) How long on average does the ATO give an employer to pay outstanding SGC monies owing to an employee.
(8) How long on average from the time the ATO contacts an employer for outstanding SGC contributions, does it take the ATO to lodge a prosecution against the employer if the employer does not pay.
(9) How many employees are estimated to have lost their superannuation guarantee entitlements because their employer has gone bankrupt or into receivership since 1992.
(10) How many employers are estimated to have not paid their employees superannuation guarantee contributions because they have gone bankrupt or into receivership since 1992.
(11) How many prosecutions against employers for non-payment of some or all superannuation guarantee contributions were successful, for each year from 1992.

Mr Costello—The Minister for Revenue and Assistant Treasurer has provided the following answer to the honourable member’s question:
(1)-(11) The number of employers covered by the Superannuation Guarantee (SG) regime is estimated to be 900,000.

Independent SG compliance surveys have, historically, been commissioned by the ATO. Information in relation to employer compliance with the SG can be found in the relevant Annual reports published by the Commissioner of Taxation.

In the period 1 July 1996 to 31 July 2002 there have been notifications of insufficient contributions made in respect of 42,588 employers. The actual number of employee complaints in this period would exceed this figure, as complaints against employers are often received from more than one employee.

As a general rule, an employer is contacted within 14 days of an employee notification of insufficient contributions being lodged. A final notice is issued 30 days after the SG debt is
raised. A notice of impending legal action is issued approximately 30 days after this final notice where debts remain outstanding.

Legal action is commenced where payment is not received or there is no satisfactory arrangement to pay in place. The period before legal action is commenced is dependent on many factors.

During the period 10 September 1995 to 31 August 2002 there were a total of 3459 cases where “legal action” involving the courts was taken in relation to Superannuation Guarantee Charge (SGC) debts. Information regarding the success of these actions, where the matter has actually been resolved through the courts, is not readily available from ATO records but is a matter of public record.

Information regarding the number of complaints resolved with full payment by the employer of all outstanding monies is not readily available, and in any event would be potentially misleading. It should be noted that not all complaints received by the ATO indicate that an employer has failed to make superannuation contributions. Some complaints arise because employees are unaware of the destination of their superannuation contributions. To combat this problem the Government has amended the SG regime to require employers to advise employees of the destination of superannuation contributions made to accumulation funds (from 1 July 2003).

It is not possible to accurately estimate the number of employees who have not received the superannuation guarantee contributions to which they are legally entitled, as the SG system is a self-assessment system. Whilst the ATO does conduct audit activities, the main sources of information about employer non-compliance are sourced from employees, employer self-assessments and broad based research conducted from time to time – all of which indicate a high level of employer compliance.

No estimate of the number of employees who have lost their SG entitlement due to employer bankruptcy or receivership is available. This is because no information is collected by the ATO in relation to superannuation contributions that have not been paid prior to bankruptcy or liquidation.

The ATO is only empowered to act to collect the Superannuation Guarantee Charge (SGC) when an employer has failed to make the appropriate contributions by 28 July following the end of the relevant financial year. The ATO cannot act on unpaid contributions where the SGC debt has not crystallised. Any estimate would therefore be misleading. The Government has recently moved to require employers to make a minimum of quarterly superannuation contributions, to reduce the amount of superannuation contributions at risk should an employer become insolvent.

For the same reasons, the number of employers that may have failed to make contributions because of insolvency is unknown.

Superannuation: Contributions

(Question No. 937)

Ms Jackson asked the Treasurer, upon notice, on 19 September 2002:

(1) What mechanisms, if any, has the Minister put in place to ensure that employers comply with their obligations under the Superannuation Guarantee (Administration) Act.

(2) Is employer non-compliance with the Act a serious issue for many Australians trying to plan for their retirement, if not, why not.

(3) Has the current system of self-assessment resulted in an estimated 28%, or 216,000 of the 800,000 employers not paying their employees’ superannuation guarantee contributions correctly.
(4) Did the Minister send a letter dated 24th July 2002 to me regarding a Hasluck constituent, Ms J Baker; if so, is the situation in which Ms J Baker finds herself, where her employer has underpaid her superannuation guarantee from 1997 to 2001, unacceptable.

(5) Does the Howard Government’s current system of self-assessment allow employers to continue to underpay or not pay superannuation guarantee contributions; if not, why not.

(6) Why are workers unable to access information about their employer’s non-payment of superannuation monies from the Australian Taxation Office.

(7) Why are employers who have not met their obligations under the Act protected under section 45 of the Act.

Mr Costello—The Minister for Revenue and Assistant Treasurer has provided the following answer to the honourable member’s question:

(1)-(7) Independent SG compliance surveys have, historically, been commissioned by the ATO. Information in relation to employer compliance with the SG can be found in the relevant Annual Reports published by the Commissioner of Taxation. These surveys have consistently found that the vast majority of employers make superannuation contributions for their employees. Only about one per cent of employers fail to make any superannuation contributions.

The Superannuation Guarantee regime operates on a self-assessment basis. The self-assessment obligation has always been a fundamental part of the regime, as introduced by the Labor government in 1992.

The ATO follows up all employers that are identified as not doing the right thing. The compliance strategies of the ATO mean that employers not making the correct level of contributions for their employees are very likely to be detected and followed up.

The ATO has a comprehensive general compliance strategy for the Superannuation Guarantee (SG) regime. This involves a mixture of audit and educational/communication activities. The major SG audit activities include investigation of:

- all complaints made by employees;
- complaints made by superannuation providers and other members of the community;
- employers identified as “at risk” from other ATO activities, such as debt collection and field visits/audits; and
- employers identified as “at risk” from analysis of data available to the ATO.

Education and communication activities undertaken by the ATO to inform employers of their SG obligations include:

- Telephone and written enquiry services;
- Publications, fact sheets and other information available from ATO offices, fax back services, ATO website and other government websites;
- Presentation at seminars and conferences;
- Stands at exhibitions and trade shows;
- New employer education program (‘Bizstart’ Program);
- SG rate rise campaigns over the past few years;
- Leveraging information through intermediaries, industry groups, employer and employee associations;
- Taxtime education program held in July and November each year;
- Industry forums and meetings;
- E-mail subscription service for latest updates;
- Various ATO newsletter programs; and
- SG reminder mailouts.
Whilst it is inconsistent with the secrecy provisions contained in the Superannuation Guarantee (Administration) Act 1992 to disclose information about particular employers and employees, the government views compliance with superannuation obligations as a very important issue. Specifically, section 45 of the Act prevents the recording or disclosure of protected information concerning another person. This has the effect of preventing the details of an employer’s Superannuation Guarantee Charge from being disclosed to an employee. Whilst this section protects the privacy of the employer, it does not provide protection for employers failing to meet their obligations. As has already been outlined, the ATO follows up every single employee notification of non-payment of contributions.

Workplace Relations: Collective Bargaining
(Question No. 1820)

Mr McClelland asked the Treasurer, upon notice, on 13 May 2003:

(1) How much has the current Government spent to date on providing training or assistance to persons wanting to bargain collectively under the Trade Practices Act 1974.

(2) How was such training or assistance provided.

(3) How much does the Government plan to spend on providing such training or assistance in future.

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

(1)-(3) Collective negotiation arrangements, that would otherwise breach the Trade Practices Act 1974, may be authorised by the Australian Competition and Consumer Commission (ACCC) or Australian Competition Tribunal (ACT) where those arrangements are in the public interest. The ACCC has issued guidelines on its approach to granting authorisations.

The ACCC promotes understanding of and compliance with the Trade Practices Act 1974 through activities such as meetings, workshops, presentations, guidelines, and publications. These processes include dissemination of information relating to the authorisation process, including authorisation of applications by parties wishing to negotiate collectively.

There is not a separate line item for expenditure relating to such activity.

Taxation: New South Wales Bar Association
(Question No. 1897)

Mr Murphy asked the Treasurer, upon notice, on 26 May 2003:

(1) Is it a fact that paragraph 24 of a letter sent by Mr Bret Walker, President of the NSW Bar Association, to the Commissioner of Taxation dated 16 December 2002 titled ‘Tax-delinquent Barristers and Statutory Secrecy’ (Reference 01/120) says: ‘the combination of subsecs 16(2) and 16(4) [privacy provisions of the Income Tax Assessment Act] is thought to produce the result that a tax officer may divulge information about (former Barrister and Queen’s Counsel Mr Clarrie) Stevens’ affairs to everyone necessarily involved in the commencement, prosecution and completion (by judgment or negotiation) of both civil and criminal legal proceedings against him, leading to the public release of that information accomplished by litigation in open court – but must not tell anyone (apart from the official agencies specified in subsec 16(4)) that these public actions have been taken.’

(2) Is he able to say what was the legislature’s intent of subsections 16(2) and 16(4) of the Income Tax Assessment Act.

(3) Is he taking, or will he take, action to amend section 16 so as to allow the Commissioner of Taxation to make information available to disciplinary bodies such as the Bar Association, the Law Societies and other bodies with statutory disciplinary responsibilities within their professions; if not, why not.
Mr Costello—The answer to the honourable member’s question is as follows:

(1) Questions about the private communications of the President of the NSW Bar Association should be referred to him.

(2) Refer to relevant explanatory memoranda speeches and committee debates on the Parliamentary record.

(3) Refer to the joint news release issued by the Attorney-General and the Minister for Revenue and Assistant Treasurer on 2 May 2003.

Transport and Regional Services: Project Funding
(Question No. 2100)

Mr Martin Ferguson asked the Minister for Transport and Regional Services, upon notice, on 26 June 2003:

(1) Further to the answer to question No. 1187 (Hansard, 14 May 2003, page 14515), can he explain how the then Minister for Regional Services, Senator Ian Macdonald, was able to announce funding for the project “Blue Mountains World Heritage Cultural Centre contribution towards building costs” on or before 30 October 2001 as reported in the Blue Mountains Gazette of 31 October 2001 when his answer indicates the project was approved by the Minister for Regional Services, Territories and Local Government on 18 April 2002.

(2) On what date did the Department of Transport and Regional Services receive an application for this project.

(3) What information was provided to Senator Macdonald about this project in the four weeks preceding 30 October 2001.

(4) What information was provided to Senator Macdonald about other Regional Solutions Program applications between 1 October 2001 and 10 November 2001.

(5) On what dates did the Regional Solutions Program Advisory Committee consider the following projects:

(a) Gippsland Timber Development Inc. application for the Forests for the Future Interpretive Centre,

(b) National Rose Garden of Australia Inc. application for the National Rose Garden of Australia project,

(c) Southern Downs Steam Railway Association Inc. application for the Steam Locomotive Refurbishment, Boiler Rebuild and Reconversion project,

(d) Council of the City of Blue Mountains application for the Blue Mountains World Heritage Cultural Centre contribution towards building costs project,

(e) Pyrenees Shire Council application for the Avoca Exhibition and Convention Centre - Stage 3 project, and

(f) Scone Shire Council application for the Scone Medical Centre project.

(6) For what reason were the following projects not referred to the Regional Solutions Program Advisory Committee:

(a) St Phillips College - Fred Mackay Centre,

(b) Qantas Foundation Memorial Ltd - Qantas Founders Outback Museum Stage 2,

(c) Ballarat City Council - Ballarat Retail Development Program,

(d) North East Telecommunications Co-operative Ltd - Centre for On-Line Regional Excellence (CORE),

QUESTIONS ON NOTICE
(e) Central Goldfields Shire Council - Central Goldfields Rural Plan Business Cluster Improvement Implementation,
(f) Mackay Tourism and Development Bureau Ltd - Mackay’s Artificial Reef Project,
(g) Shoalhaven City Council - Catering Vehicle for Shoalhaven Rural Fire Service,
(h) Shoalhaven City Council - Shoalhaven Rural Fire Service Paging System,
(i) Council of the Municipality of Kiama - Microfiche Digitiser for the Kiama Family History Centre, and
(j) Frontier Services - John Flynn Foundation.

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

(1) At the time of the announcement of the project on 29 October 2001, the source of funding was not specified.

(2) 10 May 2001.

(3) I am advised that a review of Departmental records indicates that no information was provided to Senator the Hon Ian Macdonald about the “Blue Mountains World Heritage Cultural Centre contribution towards building costs” project in the four weeks preceding 30 October 2001.

(4) Recommendations concerning funding of Regional Solutions Programme (RSP) projects were forwarded to the Minister for Transport and Regional Services and the then Minister for Regional Services, Territories and Local Government jointly prior to the introduction of the caretaker period at noon on Monday, 8 October 2001.

Information provided to Ministers after noon on 8 October 2001 was in accordance with Item 6.5: Requests from Ministers’ Offices for Information of the Guidance On Caretaker Conventions issued by the Department of the Prime Minister and Cabinet in September 2001. Policy advice on the RSP was not provided.

(5) (a) The Regional Solutions Programme Advisory Committee (RSPAC) considered the application at its meeting on 17 – 18 September 2001.
(b) 12 April 2001 and 27 April 2001
(c) 29 June 2001 and 3 October 2001
(d) 6 July 2001
(e) 23 November 2001
(f) 25 January 2002

The response to (b) - (f) above refers to those dates upon which assessments for projects were emailed to the RSPAC for comment. Committee members had generally approximately one to two weeks in which to provide comments to the Department of Transport and Regional Services.

(6) The RSP was a discretionary grant programme in which Minister(s) were the decision-makers on applications for funding. In arriving at decisions, Minister(s) are not required to seek the advice of the Regional Solutions Programme Advisory Committee.

In relation to part (6) (f), I am advised that funding for the Mackay Artificial Reef project was considered by Government in the context of the 2002 - 03 Budget and it was agreed that monies would be provided from the existing Regional Solutions Programme. This was reported in the 2002-03 Transport and Regional Services Portfolio Budget Statements.
Mr Melham asked the Prime Minister, upon notice, on 11 August 2003:

(1) To which places outside of Australia has Major Watters travelled since he was appointed Chair of the Australian National Council on Drugs (ANCD).

(2) In respect of each journey, (a) on which dates and over which periods was the travel undertaken, (b) what was the cost of (i) flights, (ii) accommodation, (iii) travelling allowances and (iv) all other associated costs, (c) with whom did he meet, and (d) what papers or presentations were given by Major Watters.

(3) Did Major Watters attend the United Nations Convention on Narcotic Drugs held in Vienna from 8-17 April 2003; if so, (a) what was the total period of his absence from Australia, (b) on what date did Major Watters leave Australia to attend the conference and on what date did he return to Australia, (c) which other places, apart from Vienna, did Major Watters visit during this trip, (d) did he use any of the period of absence from Australia for personal travel, and (e) what was the total cost to the Australian taxpayer of the travel, including all the associated costs, undertaken by Major Watters during this period of absence from Australia.

Mr Abbott—As Minister for Health and Ageing, I have been asked to reply. The answer to the honourable member’s question is as follows:

(1) Since Major Watters was appointed Chairman of the Australian National Council on Drugs (ANCD) in March 1998, he has travelled overseas for ANCD work purposes on seven occasions. He has travelled to Europe, the USA and Asia.

Since his appointment as Chairman of the ANCD, the Government has advised Major Watters that he is required to be fully aware of international developments and trends on drug issues and to foster relationships with relevant national and international drug organisations. Major Watters’ travel since 1998, as outlined below, has fulfilled this requirement.

(2) (a), (b), (c) and (d) The ANCD was established in March 1998. The Department of Health and Ageing provided secretariat support for the Council until 5 May 1999, when the function was outsourced to the Alcohol and other Drugs Council of Australia (ADCA). The ANCD, Department of Health and Ageing and ADCA have provided the following advice:

In 1997/98 Major Watters travelled to Sweden, Holland and Singapore. When in Sweden, Major Watters presented keynote papers at the European Cities Against Drugs World Conference and the International Non Government Organisation meeting prior to the UN General Assembly Meeting on Drugs. He also visited community-based programs in Amsterdam and met with prison officials to view and discuss prison based programs in Singapore. The total cost of this travel to the government (flights, travel allowances, accommodation and sitting fees) was $7,387.

In 1998/99, Major Watters delivered a keynote paper at the San Patrignano Conference in Rimini, Italy. The conference organisers covered the cost of his travel to and participation at this conference. The cost to the government, associated with Major Watters’ sitting fees for this period, was $1,800.

In 1999/00, Major Watters travelled to Europe (Austria and the UK). Major Watters presented keynote papers at the International Council on Alcohol and Addictions Annual Conference in Austria and the International Substance Abuse and Addiction Coalition Conference in the UK. The total cost to the government was $4,611.

In 2000/01, Major Watters travelled to Europe (Germany, Holland, UK and Sweden) and the USA (Washington DC and New York). In Europe, Major Watters met with officials from many treatment and drug related services and gave a keynote presentation at the National Hassela...
Monday, 3 November 2003

QUESTIONS ON NOTICE

Conference in Sweden. In the USA Major Watters met officials from the White House Office of National Drug Control and Policy, National Institute of Drug Abuse, the Lindesmith Centre and visited a number of drug treatment centres. The total cost to the government of this trip was $13,686.

In 2001/02, Major Watters did not undertake any overseas travel in his capacity as Chair of the ANCD.

In 2002/03, Major Watters travelled to Europe and the USA twice. In the first trip, Major Watters gave a keynote address at the Victory Outreach International Conference (USA) and met with officials from the White House Office of National Drug Control and Policy and the White House Office for Faith Based Organisations. In Europe, Major Watters met with a range of senior officials and visited a number of drug treatment centres in the UK, Sweden and Holland. The total cost of this trip to the government was $15,789. The second trip to Europe and the USA was to attend the UN Convention on Narcotic Drugs in Vienna in April 2003. Further information in respect of this trip is outlined under question 3.

In 2002/03, Major Watters also travelled to Manila to meet with officials from the International Federation of Non Government Organisations and present a paper on the Australian Drug Strategy. The total cost of this trip to the government was $5,064.

The ANCD has also noted that Major Watters travels economy class for the bulk of his domestic and international flights and, when undertaking overseas travel, also often stays at Salvation Army residences at no cost to the ANCD.

(3) Major Watters did attend the United Nations Convention on Narcotic Drugs in Vienna from 8-17 April 2003. He attended at the invitation of the Australian Government and presented a keynote paper on non-government organisation involvement in drug policy at the International Non Government Organisation Committee on Narcotic Drugs.

(a) Major Watters was absent from Australia for just under seven weeks.

(b) Major Watters left Australia on 4 April 2003, and returned on 15 May 2003.

(c) Major Watters also travelled to Lisbon to meet with officials from the European Centre on Drugs and Drug Addiction and present a keynote paper on Australia’s Drug Policy and Programs at the International Substance Abuse and Addiction Coalition Conference in Madrid. Major Watters had accepted the invitation to speak in Madrid prior to being asked by the Australian Government to attend the UN Convention in Vienna. Major Watters also visited Ireland and Hungary on ANCD and personal business at no cost to the ANCD. On his way home to Australia, Major Watters met with prison officials in Los Angeles, USA to discuss prison based treatment programs.

(d) The two-week gap between the engagements in Vienna and Madrid was used for Major Watters’ personal business at his own expense. As stated in the answer to question 3(c), Major Watters also visited Ireland and Hungary during this period at no cost to the ANCD.

(e) The total cost to the government of this travel between 4 April 2003 and 15 May 2003 was $21,196.

**Defence: Funding**

(Question No. 2139)

Ms O’Byrne asked the Minister representing the Minister for Defence, upon notice, on 11 August 2003:

(1) What percentage of Defence funding is directly spent in Tasmania.

(2) What percentage of Defence funding is indirectly spent in Tasmania.
Mr Brough—The Minister for Defence has provided the following answer to the honourable member’s question:

Defence does not routinely maintain information of this type. Defence’s past and present information systems are not configured to readily provide data by geographical region. Consequently, extraction of this information relies on vendor or payee postcode information, and the validity of such data cannot, therefore, be guaranteed. Given the problematic nature of the data available, the following response should be interpreted as representing a best estimate of the information requested:

1. Defence spent an amount in the order of $7.45 million directly in Tasmania for the financial year 2002-03. This equates to approximately 0.05% of Defence’s total departmental funding (excluding Capital Use Charge). This expenditure includes facilities operations, grants, major capital equipment, operating leases, repair & overhaul and suppliers expenses.

2. Defence paid an amount in the order of $14.71 million in salaries and allowances to Australian Defence Force and civilian personnel based in Tasmania for the 2002-03 financial year. This equates to 0.1% of Defence’s total departmental funding (excluding Capital Use Charge).

Attorney-General: Federal Courts and Tribunals

(Question No. 2146)

Mr McClelland asked the Attorney-General, upon notice, on 11 August 2003:

What procedures and practices are being adopted by Federal Courts and Tribunals to meet the needs of clients and litigants from culturally diverse backgrounds.

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

The procedures and practices that have been adopted by the federal courts and tribunals in my portfolio to meet the needs of clients and litigants from culturally diverse backgrounds are as follows.

The High Court

The High Court arranges for interpreters to assist self-represented litigants who do not speak English.

The Federal Court

The Federal Court has a range of procedures and practices which aim to meet the needs of clients and litigants from culturally diverse backgrounds. The same procedures and practices apply to the tribunals which receive administrative support from the Court, namely the Australian Competition Tribunal, the Copyright Tribunal, the Defence Force Discipline Appeal Tribunal and the Federal Police Disciplinary Tribunal.

The development and implementation of these procedures and practices is overseen by the Court’s Equality and the Law Committee which consists of eight judges including the Chief Justice, along with senior registry officers. The Committee seeks to ensure that the Court’s procedures and practices accommodate appropriately the needs of people from culturally diverse backgrounds, particularly Aboriginal and Torres Strait Islanders involved in native title cases, as well as the needs of other groups such as people with disabilities. The Committee meets regularly to review the Court’s practices and policies and initiate changes where necessary.

Procedures and practices include the following:

- the establishment of a legal assistance scheme under Order 80 of the Federal Court Rules which allows the Court to refer self-represented litigants to a solicitor or barrister for free legal advice or assistance;
- the issuing of Practice Note No 15, which imposes an obligation on legal practitioners to provide information to the Court to enable the appropriate treatment of persons coming before it;
• the issuing of Practice Note No 16, which deals with the administration of oaths and affirmations in the Court and which imposes an obligation on legal practitioners to give the Court (via the judge’s associate) at least 24 hours’ notice of any special arrangements that may need to be made by the Court to facilitate the taking of an oath or making of an affirmation by a witness (such as whether the witness has other requirements to facilitate the taking of an oath in accordance with his or her beliefs);

• the provision of Court-funded interpreter and translation services to litigants who have little or no understanding of the English language and who are self-represented and do not have financial means to purchase the services, or who are represented but have an exemption from, or have been granted a waiver of, the fees under the Federal Court of Australia Regulations;

• the establishment of a scheme in the New South Wales Registry of the Court, whereby the Department of Immigration and Multicultural and Indigenous Affairs pays for legal advice to be given to self-represented migration applicants;

• the establishment of a register of Court staff with language skills who may be able to assist litigants who have little or no knowledge of English when dealing with the registry;

• the publication of information sheets in a range of community languages, including a number of brochures which can be downloaded from the Court’s home page at www.fedcourt.gov.au;

• the availability on the Court’s home page of information (including links) to free government and Internet translation services, as well as such services listed in telephone directories;

• the provision of training to staff on dealing with people from culturally diverse backgrounds;

• the conduct of judicial information programs, and the availability in the Court’s libraries of relevant publications, on issues concerning litigants and witnesses from culturally diverse backgrounds and on the use of interpreters and translators;

• the accommodation of regular visits by judges from South-East Asia, which has helped raise the awareness of judges of the Federal Court of judicial and local cultures in that area.

The Family Court

The Family Court of Australia has a long history of examining its procedures and practices to consider their impact on the needs of clients from culturally diverse backgrounds.

In 1999 the Chief Justice established a National Cultural Diversity Committee. At its first meeting the Committee decided that it was important that the Court review its progress in the area against benchmarks set by Government policy and best practice in a wide range of organisations. It was also agreed that the Court needed to establish a framework for developing strategies to improve the Court’s services to culturally diverse Australians. It was decided to conduct a comprehensive audit of the Court’s practices and procedures.

The audit conducted in 2000 included extensive consultations across all levels and functions of the Court. In addition, focus groups were conducted with community workers and representatives from immigrant and refugee communities in relation to their experiences and perceptions of the Court.

The project provided the Court with an opportunity to continue to enhance its service delivery to diverse client groups. The process further enabled the Court to identify the strengths and weaknesses of existing initiatives and areas for improvement to strengthen the Court’s efficiency and effectiveness in providing quality services to its diverse client base.

Procedures and practices include the following:

• the provision of free interpreter services;

• the Indigenous Family Consultants Program;

• the Interpreter Assisted Divorce List (Sydney); and

• the employment of part-time Cultural Liaison Officers.
The Court is also implementing other initiatives. Key achievements to date are as follows:

- From 31 March 2004 the Court will collect on a voluntary basis, on all its forms, key data on cultural background as well as Indigenous status. This will allow the Court for the first time to be able to gain a comprehensive understanding of the cultural background of its clients. Extensive diversity training will be provided to staff in preparation for this data collection.

- Judges have a full day program on cultural diversity as part of a development program provided annually.

- In April 2003 a major consultation was co-hosted by the Court and the Australian Multicultural Foundation. Representatives of every State and Territory government multicultural office attended the meeting as well as the CEO and Chairperson of the Federation of Ethnic Communities’ Councils of Australia and representatives of the Department of Immigration and Indigenous and Multicultural Affairs and the Attorney General’s Department. From the meeting came a range of suggestions for further partnerships and joint initiatives in the interests of improving services to culturally diverse clients. Each Family Court Registry is developing a relationship with the local relevant representatives of the State and Territory multicultural bodies so that there can be direct feedback on ways to improve the services for culturally diverse clients.

- Court publications have been reviewed and revised to take in the recommendations of the 2000 audit referred to above.

**The Federal Magistrates Court (FMC)**

Procedures and practices include the following:

- The services of an interpreter may be authorised for clients:
  (a) attending a primary dispute resolution event; or
  (b) attending a defended court hearing.

Interpreters may also be authorised in respect of a witness.

- The FMC provides access to Aboriginal and Torres Strait Islander family consultants in the Northern Territory and far North Queensland. The consultants are Indigenous people who are well known and respected members of their local communities. Family consultants work with mediators to ensure that Indigenous families are able to effectively access and use the FMC’s mediation service.

Family consultants have a national role in advising the FMC in respect of servicing the needs of Indigenous families. The consultants cannot give legal advice but can assist in:

  (a) providing clients with information about the FMC;
  (b) assisting Indigenous clients in telling their story to FMC staff;
  (c) educating FMC staff about Indigenous culture and Indigenous families;
  (d) assisting the FMC in responding to the needs of Indigenous clients;
  (e) providing support to Indigenous clients where appropriate;
  (f) providing information regarding local services and making referrals to other agencies as appropriate.

The FMC also engages community based providers of primary dispute resolution services under contractual arrangements. A tender requirement was a strong, clear and sustained client focus. Agencies had to demonstrate that they were committed to ensuring sensitivity and accessibility to any people who face a real or perceived barrier to receiving assistance, whether on the basis of race, creed, language or ethnic background, gender, disability, age, locality, socio-economic disadvantage, sexual preference or other unjustifiable basis. Where a language barrier exists for primary dispute resolution clients or in relation to the preparation of a family report, the FMC will provide an interpreter.
The Administrative Appeals Tribunal (AAT)
Procedures and practices include the following:

- Staff and members of the AAT are trained in cultural awareness, for example at client service officer conferences, as well as at registry training sessions. Cultural awareness is also a component of on-the-job induction training for new employees.
- On-the-spot phone interpreter services are available at registry counters to assist applicants when required. Follow up appointments with interpreters may be made in cases where specialised or specific assistance is required.
- Where AAT staff identify that applicants have special needs during client contact calls, for example, as part of the AAT’s Outreach program for self-represented applicants, these needs are considered when listing matters for conferences or hearings.
- Brochures on AAT procedures and a video on ‘Getting Decisions Right’ are available in many languages.
- The Application for Review of Decision form asks applicants if they require an interpreter to assist them. Any request for language assistance is noted on the applicant’s file in the case management system and is taken into account when the applicant’s matter is listed for hearing.
- The AAT will provide free-of-cost interpreters for applicants as required.
- The AAT recognises different religious backgrounds and registries have copies of various religious texts available for the swearing of oaths.

The National Native Title Tribunal (NNTT)
The NNTT has a diverse client group which includes claimants from different Indigenous cultures, native title representative bodies, State, federal and local governments and other organisations or individuals with an interest in land or waters.

Procedures and practices include the following:

- The NNTT’s approach to mediation recognises the particular social and cultural features of multi-party native title mediation, including the customary and cultural concerns of Indigenous people. These cross-cultural considerations are managed within mediations including the initial design of each mediation process. Information relating to these mediation practices is documented in the Guide to Mediation and Agreement-making under the Native Title Act, which is available at www.nntt.gov.au.
- The NNTT’s practice when performing its arbitration function includes:
  - a direction that anyone who wishes to use an interpreter should inform the Tribunal;
  - hearings undertaken ‘on country’ where requested for future act determination inquiries. The Tribunal issues protocols for the guidance of all parties for these hearings to ensure broad understanding of the process;
  - where appropriate, orders can be made to accept restricted evidence based on customary concerns of Indigenous people, eg the Tribunal may close a hearing at the request of one of the parties.

- The Registrar is obliged to give notice to the public of applications relating to native title in accordance with the Native Title Act, including notice in a ‘special interest publication’ with Indigenous readership and circulation in the geographical area of the application. In addition, the Registrar also gives notice through other media, including regional and Indigenous radio.
Mr McClelland asked the Minister representing the Minister for Defence, upon notice, on 11 August 2003:

1. What programs have been introduced, continued or renewed by the Minister’s Department in the electoral division of Barton since March 1996.

2. What grants and or benefits have been provided to individuals, businesses and organisations by the Minister’s Department in the electoral division of Barton since 1996.

Mr Brough—the Minister for Defence has provided the following answer to the honourable member’s questions:

Defence does not routinely maintain information of this type. Defence’s past and present information systems are not configured to readily provide data by electoral division. Consequently, extraction of this data relies on vendor or payee postcode information, and the validity of such data cannot, therefore, be guaranteed. Given the problematic nature of the data available, the following response should be interpreted as representing a best estimate of the information requested:

1. Defence maintains the following facilities and units in the electoral division of Barton:

   (a) Kogarah Multi User Depot;

   (b) 23rd Field Regiment, incorporating personnel as follows:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Active</td>
<td>149</td>
</tr>
<tr>
<td>Reserve</td>
<td></td>
</tr>
<tr>
<td>Permanent Force</td>
<td>9</td>
</tr>
<tr>
<td>Reserves on Full Time Service</td>
<td>2</td>
</tr>
</tbody>
</table>

   (c) 2/17 Royal New South Wales Regiment, incorporating personnel as follows:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Active</td>
<td>33</td>
</tr>
<tr>
<td>Reserve</td>
<td></td>
</tr>
<tr>
<td>Permanent Force</td>
<td>2</td>
</tr>
</tbody>
</table>

   (d) One permanent Australian Defence Force member on Long Term Schooling.

In addition to these facilities and employees in Barton, since 1996 Defence has spent a significant amount on goods and services provided by businesses based in Barton. The following table shows indicative expenditure by year and category:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Facilities Operations $m</th>
<th>Facilities Major Capital Equipment $m</th>
<th>Operating Leases $m</th>
<th>Repair &amp; Overhaul $m</th>
<th>Suppliers Expenses $m</th>
<th>Total $m</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995-96</td>
<td>0.051</td>
<td>0.125</td>
<td>0.246</td>
<td>0.982</td>
<td>1.403</td>
<td></td>
</tr>
<tr>
<td>1996-97</td>
<td>0.298</td>
<td>0.260</td>
<td>0.593</td>
<td>3.307</td>
<td>4.458</td>
<td></td>
</tr>
<tr>
<td>1997-98</td>
<td>0.338</td>
<td>0.216</td>
<td>0.006</td>
<td>0.490</td>
<td>4.023</td>
<td>5.072</td>
</tr>
<tr>
<td>1998-99</td>
<td>0.317</td>
<td>0.284</td>
<td>0.000</td>
<td>0.439</td>
<td>1.817</td>
<td>2.857</td>
</tr>
<tr>
<td>1999-00</td>
<td>0.600</td>
<td>0.293</td>
<td>0.000</td>
<td>0.548</td>
<td>1.541</td>
<td>2.981</td>
</tr>
<tr>
<td>2000-01</td>
<td>0.362</td>
<td>0.562</td>
<td>0.881</td>
<td>0.380</td>
<td>2.791</td>
<td>4.976</td>
</tr>
<tr>
<td>2001-02</td>
<td>0.181</td>
<td>0.169</td>
<td>3.116</td>
<td>0.472</td>
<td>1.797</td>
<td>5.734</td>
</tr>
<tr>
<td>2002-03</td>
<td>0.050</td>
<td>0.275</td>
<td>0.092</td>
<td>0.243</td>
<td>3.483</td>
<td>4.144</td>
</tr>
<tr>
<td>Total</td>
<td>2.197</td>
<td>2.182</td>
<td>4.095</td>
<td>3.411</td>
<td>19.740</td>
<td>31.624</td>
</tr>
</tbody>
</table>

Note: Information obtained by searching for Barton postcodes among vendors’ mailing addresses on invoices across the requested period, using Defence’s Financial Management Information System.
Where postcodes span two or more electorates, the relevant totals have been apportioned to Barton on the basis of advice from the Parliamentary Library Service.

(2) Records since 1996 indicate no grants or payments to individual’s businesses or organisations of which Defence is aware.

**Australian Government Actuary: Judges’ Pensions**

(Question No. 2172)

Mr Martin Ferguson asked the Attorney-General, upon notice, on 11 August 2003:

(1) Has the Government commissioned a report by the Government Actuary on the value of judges’ pensions; if so, what value does that report place on those pensions.

(2) In respect of the recent increases in pay for Federal judges of 17 and 4 per cent, what is the estimated additional cost of maintaining judges’ pensions per financial year for each of these salary increases.

(3) Is it the case that for 1999 the Government Actuary estimated that the Government’s notional contributions to judges pensions were worth 51.7 per cent of judges’ salaries; if not, what is the actual figure.

(4) If the Government’s notional contributions to judges’ pensions are equivalent to 51.7 per cent of judges salaries, is the total remuneration of High Court Judges $463,185, not $305,330, and the total remuneration of judges of the Federal and Family Courts $392,781, not $258,920.

(5) Were the figures on the Government’s notional contributions to judges’ pensions put before the Remuneration Tribunal before it determined salary increases for judges of 17 and 4 per cent; if not, why not.

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

(1) An actuarial review of the long term costs of the judges’ pension scheme was conducted by the Australian Government Actuary in June 2000. A further review was conducted by the Actuary in July 2003. The July 2003 report estimated that the unfunded liability in respect of judges’ pensions as at 30 June 2002 was $319.9 million.

The most recent estimate of unfunded liability in respect of judges’ pensions, as at 30 June 2003, is $339.1 million.

(2) In November 2002 the Remuneration Tribunal determined a judicial salary increase of 7% for 2002-03 and flagged a further increase of 5% for each of 2003-04 and 2004-05, in addition to any increases determined in the Tribunal’s annual reviews for those years. The 9% increase determined for 2003-04 represents the 5% flagged for that year and the 4% awarded by determination 2003/12 following the 2003-04 annual review.

The estimate of unfunded liability as at 30 June 2003 has been calculated on the basis of both the 7% judicial salary increase determined for the 2002-03 financial year and relevant assumptions relating to such factors as investment returns, retirement rates, mortality and invalidity rates of judges. Estimates in future years will pick up other salary increases as they become payable.

As the estimate of unfunded liability as at 30 June 2003 has taken into account the 7% increase for 2002-03 and no separate estimate has been prepared excluding that increase or including the increase for 2003-04 or the flagged increase for 2004-05, a figure estimating the ‘additional cost of maintaining judges’ pensions’, to which the honourable member refers, is not available.

(3) Yes. The 2000 report by the Australian Government Actuary estimated that the Commonwealth’s notional contributions to judges’ pensions were 51.7% of judges’ salaries as at 30 June 1999.

(4) The Australian Government Actuary calculated a notional contribution amount of 55.3% of salary in the July 2003 report. If a ‘total remuneration’ amount is calculated by adding this amount to
judicial salaries then the total remuneration for High Court Justices (other than the Chief Justice) would currently be some $474,000 pa and the total remuneration for Federal and Family Court Judges (other than the Chief Justices of those courts) would be some $402,000 pa.

(5) The Australian Government Actuary’s 2000 estimate of a notional pension contribution rate of 51.7% was considered by the Remuneration Tribunal as part of its determination of salary increases for judicial officers in November 2002. The July 2003 report had not been completed when the Remuneration Tribunal made determination 2003/12 in June 2003, applicable to 2003-04.

Motor Vehicles: Specialist and Enthusiast Vehicle Scheme
(Question No. 2173)

Mr Martin Ferguson asked the Minister for Transport and Regional Services, upon notice, on 11 August 2003:

(1) With respect to the implementation of the changes to the importation and conversion of low volume second hand motor vehicles introduced by the Motor Vehicle Standards Amendment Act 2001, can he advise whether a post implementation review of the new scheme been conducted; if so, by whom, what were its findings and is it publicly available; if a review has been conducted but not publicly released, why not.

(2) Has any assessment of the employment implications of the new arrangements been conducted; if not why not; if so, what are the findings.

(3) Has the new Act and arrangements achieved the Government’s objectives; if so, what is the evidence to support that conclusion; if not, what are the inadequacies of the Act.

(4) Will the Government release the report produced by the Office of Small Business in 2000 on the employment impacts of the move to the Specialist and Enthusiast Vehicle Scheme (SEVS); if not, why not.

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

(1) The Motor Vehicle Standards Amendment Act 2001 came into effect on 1 April 2002. Transitional arrangements allowed existing approval holders to continue modifying and plating eligible vehicles for the market until 7 May 2003. Given the short period of time the Act has been fully effective, a post implementation review of the changes to the importation and conversion of low volume second hand vehicles has not been conducted.

(2) Given the short period of time the Act has been fully effective, there has been no assessment of the employment implications of the new arrangements.

(3) It is too early to determine how successful the Act has been in achieving the Government’s objective given the short period of time it has been in effect.

(4) The Government will not be releasing the report. The Office of Small Business was requested by Ministers Anderson and Reith, and Senator Minchin to provide advice on the implications on small business of the SEVS. It has previously been indicated to Parliament that this advice was for the use of the Ministers only.

Motor Vehicles: Importation and Conversion
(Question No. 2175)

Mr Martin Ferguson asked the Minister for Small Business and Tourism, upon notice, on 11 August 2003:

(1) With respect to the implementation of the changes to the importation and conversion of low volume second hand motor vehicles introduced by the Motor Vehicle Standards Amendment Act 2001, can he advise whether a post implementation review of the new scheme been conducted; if
so, by whom, what were its findings and is it publicly available; if a review has been conducted but not publicly released, why not.

(2) Has any assessment of the employment implications of the new arrangements been conducted; if not why not; if so, what are the findings.

(3) Has the new Act and arrangements achieved the Government’s objectives; if so, what is the evidence to support that conclusion; if not, what are the inadequacies of the Act.

(4) Will the Government release the report produced by the Office of Small Business in 2000 on the employment impacts of the move to the Specialist and Enthusiast Vehicle Scheme (SEVS); if not, why not.

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

(1) I understand you have asked a similar question (QON 2173) of the Minister for Transport and Regional Services, the Hon John Anderson MP. As he has portfolio responsibility for the Act, I refer this question to him.

(2) The Motor Vehicles Standards Amendment Act came into effect on 1 April 2002. Transitional arrangements allowed registered vehicle holders to continue modifying and plating permitted vehicles for the market until 7 May 2003. Given the short period of time the Act has been fully effective, there has been no assessment of the employment implications of the new arrangement.

(3) It is too early to determine how successful the Act has been in achieving the Government’s objective given the short period of time it has been in effect.

(4) The Government will not be releasing the report. The Office of Small Business was requested by Ministers Anderson and Reith, and Senator Minchin to provide advice on the implications on small business of the SEVS. Mr Reith has previously indicated to Parliament that this advice was for the use of the Ministers only.

Health: HIV-AIDS
(Question No. 2182)

Mrs Irwin asked the Minister representing the Minister for Health and Ageing, upon notice, on 11 August 2003:

(1) Has the Minister recently received a report dealing with Australia’s HIV/AIDS strategy; if so, when.

(2) Does the report call for a major revitalisation of Australia’s HIV/AIDS strategy.

(3) What concerns does the report raise to lead to a call for a major revitalisation of the strategy.

(4) Does the report examine the success or failure of current strategies.

(5) Does the report express concern that the Government’s “Tough on Drugs Policy” may lead to an increase in HIV/AIDS cases.

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

(1) Yes. The former Minister for Health and Ageing, Senator Kay Patterson, received a set of four reports of the 2002 Reviews of the National HIV/AIDS and Hepatitis C Strategies and Strategic Research on 20 December 2002 (‘the reports’).

(2) Yes.

(3) The issues raised in the reports are multifaceted, and the former Minister for Health and Ageing, Senator Kay Patterson, consulted with our ministerial colleagues on preparation of the Australian Government response to the review to ensure Australia’s response to HIV/AIDS continues to be effective and appropriate. Notable challenges identified by the HIV/AIDS Strategy Review Panel for a fifth national HIV/AIDS strategy include:
- the changing nature of HIV/AIDS in Australia and in the Asia/Pacific region, including increases in HIV diagnoses in some states;
- increasing evidence of unsafe sex practices among men who have sex with men;
- rising notifications of sexually transmissible infections;
- the need for improved surveillance systems for HIV and sexually transmissible infections;
- the need for more effective ministerial advisory arrangements; and
- maintenance of a whole-of-government approach to HIV/AIDS and associated issues.

(4) Yes.
(5) The report on the review of the National HIV/AIDS Strategy did not discuss the Government’s “Tough on Drugs Policy”.

Health: Hepatitis C
(Question No. 2183)

Mrs Irwin asked the Minister representing the Minister for Health and Ageing, upon notice, on 11 August 2003:

(1) Has the Minister recently received a report dealing with Australia’s Hepatitis C strategy; if so, when.
(2) Does the report call for a major revitalisation of Australia’s Hepatitis C strategy.
(3) What concerns does the report raise to lead to a call for a major revitalisation of the strategy.
(4) Does the report examine the success or failure of current strategies.
(5) Does the report express concern that the Government’s “Tough on Drugs Policy” may lead to an increase in Hepatitis C cases.

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

(1) Yes. The former Minister for Health and Ageing, Senator the Hon. Kay Patterson, received a set of four reports of the 2002 Reviews of the National HIV/AIDS and Hepatitis C Strategies and Strategic Research on 20 December 2002 (‘the reports’).
(2) No. The reports do not call for ‘a major revitalisation of Australia’s Hepatitis C strategy’.
(3) The issues raised in the reports are complex. The former Minister for Health and Ageing, Senator the Hon. Kay Patterson, consulted with her ministerial colleagues on preparation of the Australian Government response to the reviews to ensure that the most effective outcomes are achieved.
(4) Yes.
(5) No.

Shipping: Flags of Convenience
(Question No. 2195)

Ms George asked the Minister for Transport and Regional Services, upon notice, on 12 August 2003:

(1) How many South Pacific Nations have foreign owned shipping registries and can he list the countries and the number of ships that sail under flags of convenience.
(2) Can he confirm whether any Tongan flagged vessels have been caught ferrying weapons and explosives.
(3) Can he confirm reports that the United States Navy is prepared to stop and search, if necessary, any of the 62 ships flying Tongan flags; if so, is he able to say what led them to this decision.
(4) Can he confirm reports that businesses associated with Osama bin Laden control a multi-million dollar flag of convenience shipping operation; if so, can he provide any advice that he has received to that effect.

(5) Are “ships of shame” and their crews potentially vulnerable to terrorist activities.

(6) In light of increasing terrorist activity in the Asia-Pacific region, has the Government given consideration to more stringent inspections of ships registered by Australia’s South Pacific neighbours; if not, why not.

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

(1) The Australian Government is not privy to the details of other sovereign national shipping registries. However it is public knowledge that various shipping registers allow ships owned by overseas shipowners to be registered.

(2) No, my Department is unable to confirm this.

(3) No, my Department is unable to confirm these reports.

(4) No, my Department is unable to confirm these reports.

(5) All ships are potentially susceptible to terrorist attacks.

(6) The Australian Government does not discriminate against ships on the basis of the flag as it would be contrary to international obligations under the UN Convention on the Law of the Sea.

Australian Industrial Relations Commission: Legal Intervention Costs

(Question No. 2199)

Mr McClelland asked the Minister for Employment and Workplace Relations, upon notice, on 12 August 2003:

What was the cost of his intervention in the Australian Industrial Relations Commission in the application by the Maritime Union of Australia, the Australian Institute of Marine Power Engineers and the Australian Maritime Officers’ Union to vary the Maritime Industry Seagoing Award 1999 by adding CSL Pacific as a respondent to the Award.

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

As at 25 September 2003 the legal costs for intervention in this matter were $20,253.00 (including GST). This covers the fees and disbursements of the Australian Government Solicitor and fees of counsel.

Officers of the Department of Employment and Workplace Relations were also involved in work associated with the intervention. It is not practicable to provide details of the costs of their involvement.

Crime: Money Laundering

(Question No. 2211)

Mr McClelland asked the Treasurer, upon notice, on 12 August 2003:

Has the Reserve Bank of Australia required financial institutions to be more thorough in scanning account patterns to identify potential fraud and/or money-laundering activities; if so, what action has been taken by Australian financial institutions pursuant to that requirement.

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

These questions do not fall within my portfolio responsibilities.

The Portfolio of the Minister for Justice and Customs includes responsibility for Australia’s anti-money laundering regime, crime prevention, and fraud policy.
The Reserve Bank of Australia is not responsible for setting standards that financial institutions should follow in order to identify fraud and/or money-laundering activities.

**Australian Transaction Reports and Analysis Centre: Identity Fraud**  
*(Question No. 2214)*

Mr McClelland asked the Minister representing the Minister for Justice and Customs, upon notice, on 12 August 2003:

1. Has the Australian Transaction Reports and Analysis Centre received the report it commissioned on the extent and cost of identity fraud; if so, when.
2. Has a copy been provided to the Minister; if so, when.
3. Will the report be made public; if so, when.
4. Who prepared the report.
5. What was the cost of the report.
6. What is the title of the report.
7. What are the findings of the report.

Mr Williams—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

1. The AUSTRAC Proof of Identity Steering Committee, made up of representatives from Commonwealth and State government agencies and the banking sector, received a confidential version of the report on 14 August 2003. The Steering Committee is now awaiting a finalised version of the report for publication.
2. No. The Minister has not yet received a copy of the report.
3. Yes. The report will be made public later in the year.
4. The Security Industry Research Centre of the Asia Pacific (SIRCA) prepared the report. SIRCA is a research organisation established by 25 collaborating universities, and employs a cross disciplinary team of leading academics with extensive contacts with industry and in government.
5. The report cost $203,500 plus expenses and was funded by members of the Proof of Identity Steering Committee. Contributors include members of the banking industry and Commonwealth and State Government agencies. AUSTRAC’s contribution was non-financial including provision of time to facilitate the conducting of the study and also as a member of the working group which worked with SIRCA to complete the study.
6. The title of the report will be made available at the time of its release.
7. The findings of the report will be made available at the time of its release.

**Transport and Regional Services: Port Security Plans**  
*(Question No. 2218)*

Ms Grierson asked the Minister for Transport and Regional Services, upon notice, on 12 August 2003:

1. Does the Department of Transport and Regional Services require Port Security Plans to be in place by mid 2004.
2. Did the 2003-2004 budget allocate any money for the development of Port Security Plans; if so, how much; if not, why not.
3. What impact, if any, will the 2003-2004 budget have on port security in Newcastle.
(5) What are the implications of a Port Security Plan for the Newcastle Port Corporation and port users of Newcastle Harbour.

(6) What are the implications of the closure of the Australian Federal Police office in Newcastle for port security in this region.

(7) What measures is the Government taking to ensure security in ports throughout Australia.

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

(1) Yes.

(2) No, the cost of development of a port security plan is a cost of doing business and is properly the responsibility of the port.

(3) The 2003/2004 Budget will enable my Department to develop and implement a nationally consistent maritime preventive security regulatory framework. This framework will assist Australian ports, including the Port of Newcastle, to deter unlawful interference against maritime transport.

(4) The Newcastle Port Corporation have advised my Department that the cost of development of their plan is ‘commercial-in-confidence’.

(5) The Newcastle Port Corporation Port Security Plan will for the areas of the port under its day to day management control describe security arrangements to safeguard and protect it from unlawful interference to maritime transport. Upon approval of the plan by the Department, port users accessing these areas will need to adhere to security measures outlined in the plan, such as access control, information exchange and coordination arrangements.

(6) The AFP does not have a direct role in port security in Newcastle. Physical security of the port is the responsibility of the Newcastle Port Corporation. Where any relevant federal criminal offences are detected at ports, the AFP responds, where appropriate. The AFP maintains a presence in Newcastle through a Federal Agent who is co-located with Centrelink in Newcastle. The AFP’s responsibilities for the Newcastle area are also serviced by the Sydney Office.

(7) The Government is establishing a nationally consistent regulatory framework to deter unlawful interference with maritime transport that is consistent with international security requirements in the recently adopted amendments to the International Maritime Organisation’s (IMO) Safety of Life at Sea Convention and the International Ship and Port Facility Security (ISPS) Code.

Employment: Intensive Assistance

(Question No. 2235)

Mr Albanese asked the Minister for Employment Services, upon notice, on 12 August 2003:

For the financial years 2000-2001, 2001-2002 and 2002-2003 what was (a) the number and (b) the proportion of jobseekers who were identified as ‘highly disadvantaged’ and immediately referred to Intensive Assistance.

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

Intensive Assistance was tailored to meet the individual needs of long term unemployed job seekers and job seekers identified as being at risk of long term unemployment. The (a) number and (b) proportion of short term unemployed job seekers who were identified as eligible for Intensive Assistance through the Job Seeker Classification Instrument and subsequently commenced in the programme are shown in Table 1.
Table 1
Intensive Assistance Commencements 2000-2001 to 2002-2003

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Number of Job Seekers</th>
<th>Proportion of Total Commencements</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000-2001</td>
<td>118,945</td>
<td>42.7</td>
</tr>
<tr>
<td>2001-2002</td>
<td>132,995</td>
<td>46.7</td>
</tr>
<tr>
<td>2002-2003</td>
<td>105,159</td>
<td>45.9</td>
</tr>
</tbody>
</table>

1. In preparation for implementation of the Active Participation Model, referrals to Intensive Assistance were incrementally ceased between 26 March 2003 and end May 2003.

2. Short term unemployed job seekers identified as being at risk of long term unemployment and commencing in Intensive Assistance.

**Employment: Intensive Assistance**

(Question No. 2237)

Mr Albanese asked the Minister for Employment Services, upon notice, on 12 August 2003:

For the financial years 2000-2001, 2001-2002 and 2002-2003 what proportion of Intensive Assistance clients received structured training or subsidised employment as part of their Intensive Assistance and, of those who received training, what sort of training did they undertake.

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

The Department of Employment and Workplace Relations has not collected information in the form requested on an ongoing basis. Under Intensive Assistance, providers had the flexibility to decide, in consultation with their job seekers, what types of assistance to provide to assist people into employment. The Department therefore monitored performance rather than the specific inputs the provider delivered to assist job seekers.

Whilst formal statistics are not kept on the broader range of interventions offered to most job seekers, information on the provision of training to Intensive Assistance participants has been collected as part of periodic evaluations of Job Network. Data collected in a 2001 survey of job seekers show that 23% of Intensive Assistance participants received training. This proportion excludes those who received less substantial training in job search skills which was restricted to such activities as help with résumés and preparing for interviews.

Training in information technology and job-specific training were the most commonly reported forms of training received, as the data in the table below indicate.

<table>
<thead>
<tr>
<th>Type of training reported</th>
<th>% of all training</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information technology</td>
<td>30</td>
</tr>
<tr>
<td>Job-specific</td>
<td>31</td>
</tr>
<tr>
<td>Personal¹</td>
<td>23</td>
</tr>
<tr>
<td>Language/literacy/numeracy</td>
<td>4</td>
</tr>
<tr>
<td>Other²</td>
<td>19</td>
</tr>
</tbody>
</table>

1. Personal training includes help with presentation and self help and motivational training.

2. Training not elsewhere classified.

Note: Percentages do not add to 100 because participants could receive more than one type of training.

Under the Active Participation Model, the Department will monitor expenditure on training and other assistance types from the Job Seeker Account.

QUESTIONS ON NOTICE
Employment: Indigenous Employment Policy
(Question No. 2239)

Mr Albanese asked the Minister for Employment Services, upon notice, on 12 August 2003:
Can he provide the most disaggregated data available showing the proportion of jobseekers who, after completing the various components of IEP, were (a) employed (F/T and P/T), (b) unemployed, (c) not in the labour force, (d) engaged in another labour market program (by program type), and (e) in education or training.

Mr Brough—The answer to the honourable member’s question is as follows:
The latest available edition of the Department of Employment and Workplace Relations’ Labour Market Assistance Outcomes quarterly report provides Post Programme Monitoring (PPM) outcomes for Indigenous job seekers three months after job seekers exit assistance (see Table below). This data relates to job seekers who exited assistance between 1 January 2002 and 31 December 2002 with outcomes achieved in the year to end March 2003.

Table: Outcomes achieved\(^1\) by Indigenous job seekers in the year to end March 2003

<table>
<thead>
<tr>
<th></th>
<th>Employed Full-time %</th>
<th>Employed Part-time %</th>
<th>Unemployed %</th>
<th>Not in the Labour Force %</th>
<th>In Further Assistance(^2) %</th>
<th>Total %</th>
<th>Education &amp; Training %</th>
<th>Positive Outcomes(^4) %</th>
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<td>JM(^1)</td>
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1: PPM outcomes are measured three months after the job seeker ceases assistance and relate to job seekers who ceased assistance between 1 January 2002 and 31 December 2002 with outcomes achieved by 31 March 2003.
2: PPM outcomes can only be reliably measured for the Structured Training and Employment Project (STEP) and Wage Assistance (WA) components of the Indigenous Employment Programme.
3: PPM outcomes for Job Network are disaggregated into Intensive Assistance (IA), Job Search Training (JST) and Job Matching (JM).
4: Positive outcomes include employment and education/training outcomes and can therefore be less than the sum of employment and education/training outcomes because some job seekers achieve both an employment and an education/training outcome.
5: Further assistance includes commencements in DEWR funded labour market assistance. Further assistance is not measured for Job Matching and job seekers who do not achieve an employment outcome are treated as either unemployed or not in the labour force.

Employment: Job Network
(Question No. 2242)

Mr Albanese asked the Minister for Employment Services, upon notice, on 12 August 2003:
Can he provide a full list of ESC3 Job Network providers (i.e. those providing the full suite of services) and the physical address of their offices.
Mr Brough—The answer to the honourable member’s question is as follows:
The Government’s Australian Workplace web site, www.workplace.gov.au provides full details of all organisations awarded contracts or licences under the ESC3, by locality.

Immigration: Former Child Migrants
(Question No. 2262)

Mr Laurie Ferguson asked the Minister for Citizenship and Multicultural Affairs, upon notice, on 14 August 2003:
(1) Following the announcement on 13 May 2002 of the Government’s package of measures to assist former British and Maltese child migrants, how much was spent in (a) 2002-2003, and (b) in 2003-2004 to date, on (i) travel funding to assist former child migrants to reunite with their family overseas, (ii) memorials to commemorate former child migrants, and (iii) family tracing and counselling services provided by the Child Migrants Trust.
(2) How many (a) British and (b) Maltese former child migrants have so far received assistance from the Travel Fund to travel overseas.
(3) Have concerns been expressed to him about the restrictive eligibility criteria for the Travel Fund; if so, what has been the Government’s response to these concerns.
(4) How many memorials have so far received financial assistance from his department and, in respect of each memorial, what is (a) its location, (b) its significance, and (c) the extent of Commonwealth assistance provided.

Mr Hardgrave—The answer to the honourable member’s question is as follows:
(1) (a) During the 2002-03 financial year:
   (i) expenses incurred in relation to the Travel Fund to assist former child migrants undertake reunion visits to either Britain or Malta were $736,013.
   (ii) Nil expenditure on memorials.
   (iii) $125,000 to the Child Migrants Trust for tracing and counselling services.
(b) During the 2003-04 financial year to 31 August 2003:
   (i) expenses incurred in relation to the Travel Fund account to assist former child migrants to undertake reunion visits to either Britain or Malta were $400,000.
   (ii) Nil expenditure on memorials.
   (iii) Nil to the Child Migrants Trust for tracing and counselling services.
(2) As at 31 August 2003:
   (a) 302 British former child migrants have had applications approved, and 137 have travelled.
   (b) 38 Maltese former child migrants have had applications approved, and 13 have travelled.
(3) Yes. Priority continues to be given to providing assistance to former child migrants who have not received assistance from any government to undertake a reunion visit. I have reiterated my request to State Governments to also contribute to the Travel Fund, as was recommended by the Senate Inquiry. State contributions would assist in meeting existing demand for an initial government-funded reunion visit, and allow consideration to be given to funding a second or subsequent government assisted visit.
(4) One memorial project has been completed. In accordance with the Memorandum of Understanding between the Commonwealth and Queensland, full payment will be made on receipt of an invoice from the Queensland Department of Families.
   (a) St Joseph’s Orphanage at Neerkol in Rockhampton.
(b) Most of the British former child migrants sent to Queensland resided at St Joseph’s Orphanage in Neerkol. The memorial is centred on the original entrance gates to St Joseph’s.

(c) Each of the six states which received former child migrants will receive $16,667 in Commonwealth funding towards its memorial project.

**Tourism: Tweed Heads to Sydney Promotional Bus Tour**

*(Question No. 2269)*

Mr Martin Ferguson asked the Minister for Small Business and Tourism, upon notice, on 14 August 2003:

1. Further to the answer to question No. 1836 (*Hansard*, 11 August 2003, page 18046) in respect of the Tweeds Heads to Sydney promotional bus tour, were any staff from his ministerial office on the bus trip; if so, (a) how many, and (b) were any of these staff included in the answer provided to part 1 of question No. 1836.

2. How many meetings were held in (a) Tweed Heads, (b) Chinderah, (c) Murwillumbah, (d) Brunswick Heads, (e) Byron Bay, (f) Bangalow, (g) Lennox Head, (h) Lismore, (i) Yamba, (j) Maclean, (k) Coffs Harbour, (l) Urunga, (m) Nambucca Heads, (n) Port Macquarie, (o) Kempsey, (p) Taree, (q) The Entrance, (r) Ourimbah, and (s) Wyong.

3. What was the date and the time of each of the public meetings and how many people attended each meeting.

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

1. Yes (a) 3 (b) No

2. There were numerous meetings held in NSW forums.

3. The size of the meetings varied.

**Family Law**

*(Question No. 2273)*

Mr McClelland asked the Attorney-General, upon notice, on 18 August 2003:

In respect of the working group established by the Standing Committee of Attorneys-General to consider recommendations in the Family Law Council’s report “Family Law and Child Protection”, (a) who will serve on the working group, (b) which recommendations will it consider, (c) what are its terms of reference, (d) what will the working group be expected to produce, and (e) when will the working group be expected to report.

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

(a) The working group will comprise officers from Commonwealth, State and Territory Attorney-General’s Departments. The working group will consult with the officers’ group that advises the Ministerial Council of Commonwealth, State and Territory Community Services Ministers.

(b) The working group will consider recommendations 10-14 of the Family Law Council report which are as follows:

Recommendation 10

The Family Law Act should be amended to allow Children’s and Youth’s Courts to make consent orders regarding residence and contact in certain circumstances.

Recommendation 11

Section 69ZK should be amended to make clear beyond doubt that residence and contact orders made pursuant to child welfare legislation as an outcome of proceedings brought by a child protection authority for the protection of a child are not inconsistent with the Family Law Act.
Recommendation 12
States and Territories should be encouraged to amend their laws to make it possible for Children’s and Youth Courts to make orders concerning residence and contact as an outcome of child protection proceedings brought by the child protection authority.

Recommendation 13
In child protection matters, duplication of effort between state and federal systems should be avoided, and a decision should be taken as early as possible whether a matter should proceed under the Family Law Act or under child welfare law with the consequence that there should be only one court dealing with the matter. This is to be known as the ‘One Court principle’.

Recommendation 14:
The Council of Community Services Ministers and Standing Committee of Attorneys-General should jointly appoint a committee consisting of representatives of the child protection authorities in States and Territories, Children’s and Youth’s Courts, the Family Court of Australia, the Family Court of Western Australia, the Federal Magistrates Service and the proposed Child Protection Service (the CPS). The Committee shall:

(a) promote cooperation in ensuring the effectiveness of the One Court principle;
(b) endeavour to agree on the circumstances when the child protection authority should take responsibility for presenting the child protection concerns either under child welfare legislation or by becoming a party to family law proceedings and when it is appropriate for the matter to be left to others, such as the parents, to resolve in private proceedings under the Family Law Act;
(c) review the operation of the various protocols between the Family Court and State and Territory child protection departments with a view to promoting as much consistency as is possible given the variations in state legislation and circumstances;
(d) encourage a high-level [sic] of commitment to the Protocols and their incorporation in all relevant agencies;
(e) explore all the practical issues of improving information sharing, examining how to better coordinate elements of the system and further refining the role of the CPS;
(f) keep under review and progressively enhance the various protocols and promote ongoing collaboration between the child protection authorities in the States and Territories and the Courts exercising jurisdiction under the Family Law Act.

(c) There are no terms of reference for the working group.
(d) The working group will examine recommendations 10-14 of the Family Law Council report and develop an officers’ paper on the options for action to address cross-jurisdictional problems and identify whether there is a role for SCAG.
(e) There is no date by which the working group is to report.

Australian Security Intelligence Organisation: Staffing
(Question No. 2289)

Mr Beazley asked the Attorney-General, upon notice, on 18 August 2003:
What have been the annual staffing levels of the Australian Security Intelligence Organisation from 1983 to date.

Mr Ruddock—The answer to the honourable member’s question is as follows:
The table below provides the requested information about ASIO staffing levels.

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<td>1982-1983*</td>
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</tbody>
</table>

* For financial years beginning in 1982 and ending in 1985, establishment figures were kept as the number of actual staff.

** New reporting procedures were introduced by government for the financial year beginning in 1985, reporting was on Average Office Staff Levels (AOSL or ASL).

*** For the years 1987-8 and 1988-9 additional staffing information was provided in the Annual Report.

**** From the financial year beginning in 1990, ASIO reported from its computerised pay system. Figures were reported on three levels: average, full-time equivalent and number of actual staff.


Mr McClelland asked the Attorney-General, upon notice, on 19 August 2003:

(1) Who represented Australia at the third workshop on UN human rights treaty body reform in Geneva on 3-4 July 2003.

(2) What was the cost of the Australian representatives’ attendance.

(3) Which countries attended the workshop and who attended from these countries.

Who attended from the treaty committees and their secretariats.

What were the outcomes of the workshop.

Who is on the standing inter-departmental committee established in 2000 to progress UN treaty body reform and on what dates has the committee met since it was established.

What are the next steps the Government intends to take in UN treaty body reform.

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

The workshop was chaired by Australia’s Permanent Representative to the United Nations in Geneva and attended by three Canberra-based officials representing the Department of Foreign Affairs and Trade and the Attorney-General’s Department and two officers from our Permanent Mission in Geneva.

The cost of the Australian Canberra-based representatives’ attendance was $21,257.89. This is not a final figure as part of the amount remains subject to acquittal.

The workshop was attended by representatives from the United States of America, United Kingdom, Germany, France, Denmark, the Netherlands, Italy, Norway, Republic of Korea, Japan, Thailand, Brazil, Chile, Argentina, Mexico, South Africa, Kenya, Poland, Czech Republic, Canada, Costa Rica, Egypt, Estonia, New Zealand, Switzerland, Latvia, Israel, Uganda, and Liechtenstein. Capital-based representatives attended from Denmark, the Netherlands, Estonia, Latvia, New Zealand and Liechtenstein. The other participants were Geneva-based representatives.

The Acting High Commissioner for Human Rights, the Head of the Support Services Branch and the Chief of the Treaty Implementation Unit II.

The Chair of the Committee on the Rights of the Child.

The theme of the workshop was “Interaction with the Committees: Improving Coordination across the System”. The workshop was an opportunity for States to exchange ideas with each other and with the Office of the High Commissioner for Human Rights about ways to improve the committee system. Discussions identified the need to make better use of information technology to reduce the load on the committees and States and the need to improve the formulation of the committees’ concluding observations. Participants also discussed the benefits of the committees developing a more consistent approach to non-government material. These discussions were timely as the Acting High Commissioner for Human Rights was in the process of preparing a report to the Secretary-General of the United Nations on reform of aspects of the United Nations human rights system.

The Department of Foreign Affairs and Trade, the Attorney-General’s Department, the Department of the Prime Minister and Cabinet, the Department of Immigration and Multicultural and Indigenous Affairs and AusAID. Other departments have attended committee meetings, depending on the issues being discussed. The inter-departmental committee has met on the following dates: 26 September 2000; 9 November 2000; 14 December 2000; 27 February 2001; 18 April 2001; 12 June 2001; 27 August 2001; 23 November 2001; 8 March 2002; 9 May 2002; 19 September 2002; 28 November 2002; 16 May 2003.

The Government will continue to work with the United Nations and other reform-minded countries to ensure that the momentum for treaty body reform continues. On 30 September 2003, the then Attorney-General, the Honourable Daryl Williams AM QC MP and I met with the Acting High Commissioner for Human Rights in Geneva to discuss the reform of the human rights treaty bodies. The Acting High Commissioner is due to report to the Secretary-General of the United Nations with recommendations for reform of aspects of the human rights treaty body system. While in Geneva, we met with other key figures, including the Chair of the Committee on the Rights of the Child and Ambassadors from reform-minded countries. Each of these meetings was
an opportunity for the Government to feed Australia’s perspective on treaty body reform into continuing efforts to reform that system.

**Attorney-General: Legal Services**  
(Question No. 2293)

Mr McClelland asked the Attorney-General, upon notice, on 19 August 2003:

Has he received a report on the operation of the Commonwealth legal services market since the Judiciary Amendment Act 1999 was enacted; if so, (a) when, (b) what is the title of the report, (c) who prepared the report, (d) what was the cost of the report, and (e) when will he make the report public.

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

My predecessor received a report on the impact of the Judiciary Amendment Act 1999 on the capacity of government departments and agencies to obtain legal services and on the Office of Legal Services Coordination.

(a) The report was received on 9 July 2003.
(c) The report was prepared by Ms Sue Tongue.
(d) The report cost $22,500.
(e) The report was made public on 24 September 2003.

**Education, Science and Training: Program Funding**  
(Question No. 2319)

Mr Kelvin Thomson asked the Minister for Education, Science and Training, upon notice, on 21 August 2003:

(2) What funds have been provided to (a) government and (b) non-government schools in the electoral division of Deakin in each of the financial years (i) 1998-1999, (ii) 1999-2000, (iii) 2000-2001 (iv) 2001-2002, and (v) 2002-2003.

Dr Nelson—The answer to the honourable member’s question is as follows:

(1) Australian Government specific purpose payments (SPPs) provided to Victoria for the period 1998-99 to 2002-03 are detailed in the table on the next page:
### QUESTIONS ON NOTICE

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<th>2001</th>
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<td>Recurrent per capita</td>
<td>$816,412,228</td>
<td>$886,447,836</td>
<td>$1,702,860,864</td>
<td>$1,702,860,864</td>
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<tr>
<td>Distance Education</td>
<td></td>
<td></td>
<td>$136,087</td>
<td>$136,087</td>
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<td>Transitional Emergency Assistance</td>
<td></td>
<td></td>
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<tr>
<td>Establishment</td>
<td>$319,800</td>
<td>$448,242</td>
<td>$768,042</td>
<td>$768,042</td>
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<tr>
<td>COMMONWEALTH TARGETED PROGRAMMES</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Strategic Assistance to Improve Student</td>
<td></td>
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<td></td>
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<td>Outcomes (SAISO)</td>
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<td></td>
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<tr>
<td>SAISO Recurrent</td>
<td></td>
<td></td>
<td>$27,828,000</td>
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<td>SAISO Additional Assistance</td>
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<td>$2,769,400</td>
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<td>SAISO Per Capita</td>
<td>$2,814,124</td>
<td>$3,468,442</td>
<td>$6,282,566</td>
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<td>LITERACY AND NUMERACY PROGRAMME</td>
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<td></td>
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<tr>
<td>Grants to Foster Literacy and Numeracy</td>
<td>$15,101,000</td>
<td>$17,107,000</td>
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<td>Development</td>
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<tr>
<td>National Literacy Strategies and Projects</td>
<td>$121,954</td>
<td></td>
<td></td>
<td>$121,954</td>
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<tr>
<td>SCHOOL LANGUAGE PROGRAMME</td>
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<tr>
<td>National Asian Languages &amp; Studies in Aust Schools Strategy</td>
<td>$3,420,265</td>
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<td>$2,341,920</td>
<td>$2,375,118</td>
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<td>Special Education Schools Support</td>
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<td>$9,412,600</td>
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<td>$18,177,900</td>
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<td>Special Education Non</td>
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<td></td>
<td>$6,013,000</td>
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<td>Program</td>
<td>1999</td>
<td>2000</td>
<td>2001</td>
<td>2002</td>
<td>TOTAL</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>------------</td>
<td>------------</td>
<td>------------</td>
<td>------------</td>
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<tr>
<td>Government Centre Support</td>
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<td>English as a Second Language - New Arrivals</td>
<td>$932,861</td>
<td>$777,240</td>
<td>$835,373</td>
<td>$1,018,094</td>
<td>$3,563,568</td>
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<td>Country Areas</td>
<td>$494,700</td>
<td>$531,300</td>
<td>$557,400</td>
<td>$586,600</td>
<td>$2,170,000</td>
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<td>Full Service Schools</td>
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<tr>
<td>Total Non-Government</td>
<td>$704,957,358</td>
<td>$784,571,135</td>
<td>$882,282,554</td>
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<td></td>
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<td>CAPITAL GRANTS PROGRAMME</td>
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<td></td>
<td></td>
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<td>COMMONWEALTH TARGETED PROGRAMMES</td>
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<tr>
<td>LITERACY AND NUMERACY PROGRAMME</td>
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<td></td>
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<td></td>
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<td>National Literacy Strategies and Projects</td>
<td>$160,000</td>
<td>$48,720</td>
<td>$160,000</td>
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<td></td>
<td></td>
<td>$733,291</td>
<td>$753,291</td>
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<td>NATIONAL ASIAN LANGUAGES &amp; STUDIES IN SCHOOLS</td>
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<tr>
<td>SPECIAL LEARNING NEEDS PROGRAMME</td>
<td>$4,809,723</td>
<td>$5,232,782</td>
<td>$5,714,000</td>
<td></td>
<td>$15,756,505</td>
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<td>Special Education Non-Government Support</td>
<td>$96,000</td>
<td>$376,493</td>
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<td></td>
<td>$472,493</td>
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<td>Full Service Schools</td>
<td>$5,085,723</td>
<td>$5,922,494</td>
<td>$2,113,327</td>
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<td>$19,075,494</td>
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<td>Total Other</td>
<td>$1,087,278,838</td>
<td>$1,192,369,405</td>
<td>$1,316,999,765</td>
<td>$1,414,209,494</td>
<td>$5,010,857,502</td>
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</table>

Source:

2002: DEST

QUESTIONS ON NOTICE
Funding from the Commonwealth Quality Teacher Programme (CQTP) has reached Victorian schools through the State and Territory projects component of the CQTP, and through two national strategic projects, namely the Boys Education Lighthouse Schools project and the Australian Teachers Prizes for Excellence project.

Under the State and Territory component of the CQTP, funds were provided for a wide range of professional learning activities for teachers. Total funding allocations are reported below but it is not possible to tell what proportion of these CQTP funds was provided directly to schools nor to identify which schools received funding under this component of the Programme as reporting requirements focussed on teacher participation levels and outcomes.

Table 1. Funding provided to Victorian government and non-government education jurisdictions 1998/99 – 2002/03 Financial Year under the State and Territory component of the CQTP.

<table>
<thead>
<tr>
<th>Financial Period</th>
<th>Government</th>
<th>Non-Government</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998-1999</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>1999-2000</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>2000-2001</td>
<td>$4,368,000</td>
<td>$2,228,000</td>
</tr>
<tr>
<td>2001-2002</td>
<td>$4,595,000</td>
<td>$2,344,000</td>
</tr>
<tr>
<td>2002-2003</td>
<td>$2,406,000</td>
<td>$1,228,000</td>
</tr>
</tbody>
</table>

Table 2. Funding provided to Victorian government and non-government education jurisdictions 1998/99 – 2002/03 Financial Year under the Boys Education Lighthouse Schools project.

Table 3. Funding provided to Victorian government and non-government education jurisdictions 1998/99 – 2002/03 Financial Year under the Australian Teachers Prizes for Excellence project.

(2) Australian Government funding is not allocated or reported on the basis of electorates. Data on electorates are only available on the General Recurrent Grants programme for non-government schools, Establishment Grants programmes for non-government schools, Schools Transitional Emergency Assistance for non-government schools, Capital Grants programme for government and non-government schools, Boys’ Education Lighthouse Schools programme and Values Education Study. Australian Government funding provided to the electorate of Deakin for the period 1998-99 to 2002-03 are detailed in the table over.
### Electorate of Deakin

**Summary of Identifiable Commonwealth Grants for Government and Non-government Schools for the period 1996-2003**

<table>
<thead>
<tr>
<th></th>
<th>1998</th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>Total</th>
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<tr>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td><strong>NON-GOVERNMENT SCHOOLS</strong></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Capital Grants</td>
<td>190,300</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>220,000</td>
<td>0</td>
<td>410,300</td>
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<tr>
<td><strong>GOVERNMENT SCHOOLS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Grants</td>
<td>2,323,000</td>
<td>860,000</td>
<td>80,000</td>
<td>1,190,000</td>
<td>1,150,000</td>
<td>0</td>
<td>5,603,000</td>
</tr>
<tr>
<td>TOTAL COMMONWEALTH FUNDING</td>
<td>12,100,427</td>
<td>11,115,708</td>
<td>11,755,807</td>
<td>14,832,098</td>
<td>16,205,040</td>
<td>15,299,960</td>
<td>81,309,040</td>
</tr>
</tbody>
</table>

Data as at: 11/09/2003

Note: Information is based on current electorate boundaries at time of payment.

The electorate of Deakin received $2,500 for government and non-government education jurisdictions in the 2001-02 financial year under the Australian Teachers Prizes for Excellence project. There was no funding for the others years requested under this project.
QUESTIONs ON NOTICE

Nuclear Waste: Storage
(Question No. 2341)

Mrs Irwin asked the Minister for Education, Science and Training, upon notice, on 9 September 2003:

(1) Has an application been made to the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) for the storage of nuclear waste material in South Australia including road transport of nuclear waste through New South Wales; if so, (a) does the application propose specific preferred routes or alternative routes for the transport of nuclear waste material through New South Wales, (b) does the preferred route, or any proposed alternative, pass through the electoral division of Fowler; if so, what is the exact route proposed, (c) what measures have been proposed in the application to ensure the safety of residents and road users in the electoral division of Fowler, and (d) which other federal electoral divisions does the route pass through.

(2) Have any studies been undertaken to evaluate the safety and security issues associated with the road transport of nuclear waste material through the electoral division of Fowler; if so, will these studies be made public and; if so, when.

(3) Has there been any consultation with State or Local Government Authorities concerning the proposed road transport of nuclear waste material through the electoral division of Fowler.

Dr Nelson—The answer to the honourable member’s question is as follows:

(1) An application has been made to the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) for licences to site, construct and operate the national radioactive waste repository for disposal of low level waste at a site near Woomera in South Australia.

(a) The route options for the transport of radioactive waste to the national repository were first addressed in the Environmental Impact Statement (EIS) on the project, which has been submitted to ARPANSA as part of the licence application. Two main route options within NSW were identified for waste being transported from Sydney; one via Orange, Dubbo and Broken Hill using the Great Western, Mitchell and Barrier Highways; the second via Wagga Wagga, Hay and Mildura using the Hume and Sturt Highways.

(b) The EIS also identified a route option for the transport of waste from Brisbane through NSW to the national repository. It is proposed that waste would be transported via Dubbo and Broken Hill on the Newell, Mitchell and Barrier Highways.

(c) One of the two route options proposed for transport of radioactive waste from Sydney to the national repository would pass through the electoral division of Fowler. The overall route involves transport of waste via Wagga Wagga, Hay, and Mildura to South Australia. Possible elements of the route within the confines of Sydney were not proposed to maintain maximum flexibility with respect to the transport arrangements in accordance with ARPANSA’s 2001 Code of Practice for the safe transport of radioactive materials.

Transport of radioactive waste to the national repository will be safely managed. The transport of radioactive material, including radioactive waste, is governed by strict regulations and codes of practice, particularly ARPANSA’s 2001 Code of Practice for the Safe Transport of Radioactive Material, which is based on internationally accepted safety guidelines published by the International Atomic Energy Agency. These codes of practice are designed to ensure the containment of radioactive materials in the unlikely event of an accident. Only solid low level waste will be transported to the national repository. The waste will be securely packaged, with concrete as required, in steel drums which will be placed in steel shipping containers.
The licence application for the repository specifies requirements for driver training, vehicle safety and emergency response plans which will be met before and during transportation of waste to the national repository.

There are well established procedures to manage an emergency involving radioactive material which would enable an appropriate response in the unlikely event of an accident. Initial response would be by the NSW Fire Brigade. The Sydney HAZMAT response unit would be summoned, if the circumstances necessitated it, to an incident in the electoral division of Fowler. Specialists in managing radioactive materials from the NSW Environment Protection Agency would also attend the accident if needed. The Australian Government can provide assistance on request from states and territories via Emergency Management Australia. ARPANSA and the Australian Nuclear Science and Technology Organisation (ANSTO) can also assist.

(d) The Great Western, Mitchell and Barrier Highways pass through the NSW electoral divisions of Sydney, Grayndler, Lowe, Reid, Parramatta, Greenway, Chifley, Lindsay, Macquarie, Calare and Parkes.

The Hume and Sturt Highways pass through the NSW electoral divisions of Grayndler, Lowe, Blaxland, Fowler, Werriwa, Macarthur, Gilmore, Hume, Riverina and Farrer.

(2) Studies have been undertaken to evaluate safety and security issues associated with the transportation of low level radioactive waste to the national repository. The results of the safety studies, and general discussion of security issues (given the restricted classification of this information), were reported in the EIS on the national repository which can be accessed via the internet at www.radioactivewaste.gov.au.

Consideration was given in the EIS to the risk and consequences of accidents involving trucks transporting waste to the national repository. It was concluded that the stringent packaging requirements would ensure that waste would be safely contained in the event of an accident, and that the probability of an accident occurring during an “average” truck trip to the national repository was 0.14% (the number of accidents divided by the number of shipments), a very low likelihood.

Conditioned waste, or waste which is treated for disposal, securely packaged with concrete as required (e.g. items such as gauges may require this sort of packaging), in steel drums and in steel shipping containers would be less accessible from a security point of view than un-conditioned waste stored in hospitals, universities and industry and government stores which have not been designed for the long-term management of the material.

(3) Extensive consultation with the public has been undertaken throughout the national repository project. Public submissions were invited on the proposal in 1992, 1994 and 1998 during the siting phase. Public submissions were also invited on the draft EIS from 29 July to 21 October 2002 and the issues raised were responded to in the supplement to the draft EIS. No submissions were received from the two councils in the electoral division of Fowler, or from relevant state agencies.

A further opportunity for public consultation on the project is currently being provided through the ARPANSA licensing process. ARPANSA has called for public submissions on the licence application to site, construct and operate the national repository until 6 November 2003.

Trade: Export Market Development Grants

(Question No. 2342)

Mr Edwards asked the Minister for Trade, upon notice, on 8 September 2003:

Have any grants under the export markets grant scheme or any other Federal Government scheme been made available to companies operating in Myanmar in the last five years; if so (a) who are the
recipients of these grants, (b) what are the details of these grants, and (c) on what basis and for what purpose were they awarded.

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

(a) Section 94 of the Australian Trade Commission Act 1985 precludes the release of commercial-in-confidence information about individual recipients of grants under the Export Market Development Grants (EMDG) scheme, including information concerning which markets individual recipients are promoting to.

(b) Over the last five years, a total of $1.8m in grants under the Export Market Development Grants (EMDG) scheme has been paid to businesses that have indicated in their EMDG application forms that the markets to which they are promoting their exports include Myanmar. This $1.8m was paid in relation to the applicants’ activities in a range of overseas markets, rather than solely in respect of activities in Myanmar.

The following table provides details.

Table: Total grants under the Export Market Development Grants scheme paid to businesses promoting exports to Myanmar *, grant years 1997-98 to 2001-02

<table>
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<tr>
<th>Grant year</th>
<th>No. of grants paid</th>
<th>Value of grants paid</th>
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</thead>
<tbody>
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<td>1997-98</td>
<td>8</td>
<td>$592,557</td>
</tr>
<tr>
<td>1998-99</td>
<td>10</td>
<td>$531,887</td>
</tr>
<tr>
<td>1999-00</td>
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<td>$230,220</td>
</tr>
<tr>
<td>2000-01</td>
<td>9</td>
<td>$315,074</td>
</tr>
<tr>
<td>2001-02</td>
<td>4</td>
<td>$161,271</td>
</tr>
<tr>
<td>Total</td>
<td>39</td>
<td>$1,831,009</td>
</tr>
</tbody>
</table>

* Myanmar was one of a range of overseas markets in which recipients conducted promotional activities.

Source: Austrade EMDG database, 9 September 2003

(3) Under the EMDG scheme, any Australian individual, partnership, company, association, co-operative, statutory corporation or trust that meets the EMDG eligibility criteria and has incurred at least $15,000 in eligible export promotion expenses over the last financial year, or over the last two financial years in the case of first time applicants, is eligible to apply for a grant.

EMDG grants assist small and medium enterprises to enter into export and develop sustainable export markets.

Attorney-General’s: Staff
(Question No. 2343)

Mr McClelland asked the Attorney-General, upon notice, on 9 September 2003:

(1) What is the full list of groups, divisions, branches and other work units (however named) within the Attorney-General’s Department.

(2) How many Full Time Equivalent staff currently work in each work unit.

(3) In each work unit, how many such staff are (a) ongoing and (b) non-ongoing, and what are the broad-banded classifications of those staff.

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

(1) The following is the list of groups, divisions and branches within the Attorney-General’s Department:
Executive
Solicitor General’s Office
Civil Justice and Legal Services Group
- Civil Justice Division
  - Human Rights (Sex, Disability and Domestic Infrastructure) Branch
  - Human Rights (Race, Age, and International) Branch
  - Administrative Law and Civil Procedure Branch
  - Civil Jurisdiction and Federal Courts Branch
- Legal Services and Native Title Division
  - Legal Services Coordination Branch
  - Constitutional Policy Unit
  - Native Title Branch
  - Civil Justice Project
- Family Law and Legal Assistance Division
  - Family Law Branch
  - Legal Assistance Branch
  - Family Pathways Branch
- Office of International Law
  - Public International Law Branch
  - International Trade and Environment Law Branch
- Office of Legislative Drafting
  - Drafting Unit 1
  - Drafting Unit 2
  - Drafting Unit 3

Criminal Justice and Security Group
- Criminal Justice Division
  - Criminal Law Branch
  - International Crime Branch
  - Law Enforcement Branch
  - Crime Prevention Branch
  - Strategic Law Enforcement Branch
- Information and Security Law Division
  - Security Law Branch
  - Copyright Law Branch
  - Information Law Branch
  - Critical Infrastructure Protection Branch
- Emergency Management Australia
- Protective Security Coordination Centre
  - Security Programs Branch
  - Counter Terrorism Branch
  - Information Coordination Branch

QUESTIONS ON NOTICE
- Policy and Services Branch
Corporate Services Group
- Financial Management Branch
- Human Resources Branch
- Corporate Performance and Coordination Section
- Freedom of Information Section
- Support Services Section
- Ministerial and Parliamentary Services Section
- Public Affairs Section
Information and Knowledge Services Group
- Information and Communications Technology Branch
- Information Services Branch

(2) Please refer to Attachment A
(3) Please refer to Attachment B
**Attachment A**

**Attorney-General’s Department FTE – August 2003**

<table>
<thead>
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<th>Organisation Unit</th>
<th>APSL1/2</th>
<th>APSL3</th>
<th>APSL3/4</th>
<th>APSL4</th>
<th>APSL4/5</th>
<th>APSL5</th>
<th>APSL5/6</th>
<th>APSL6</th>
<th>EL1</th>
<th>EL2</th>
<th>Grad</th>
<th>LO</th>
<th>SLO</th>
<th>PLO</th>
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<th>APSL3/4</th>
<th>APSL4</th>
<th>APSL4/5</th>
<th>APSL5</th>
<th>APSL5/6</th>
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<th>PLO</th>
<th>SES1</th>
<th>SES2</th>
<th>SES3</th>
<th>Total</th>
</tr>
</thead>
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#### Attorney-General’s Department FTE – August 2003

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**QUESTIONS ON NOTICE**
### QUESTIONS ON NOTICE

**Attorney-General’s Department FTE – August 2003**

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**CIVIL JUSTICE AND LEGAL SERVICES GROUP**

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Business-Government Task Force on Critical Infrastructure: Representation (Question No. 2345)

Mr McClelland asked the Attorney-General, upon notice, on 9 September 2003:

1. Which individuals, organisations and agencies are represented on the Business-Government Task Force on Critical Infrastructure.
2. Where and on what dates has the Task Force met.
3. Who attended each meeting.
4. What was the agenda and what were the outcomes of each meeting.
5. When and where will the Task Force next meet.

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

1. Members of the Business–Government Task Force on Critical Infrastructure were:
   - Mr John McFarlane, Chief Executive Officer, ANZ Banking Group;
   - Mr Graeme John, Managing Director, Australia Post;
   - Mr Barry Jones, Executive Director, Australian Petroleum Production and Exploration Ltd;
   - Mr Richard G Humphrey AO, Managing Director and Chief Executive Officer, Australian Stock Exchange Ltd;
   - Mr David Murray, Chief Executive Officer, Commonwealth Bank of Australia;
   - Mr Nino Ficca, Chief Executive/Managing Director, SPI PowerNet Pty Ltd, Electricity Supply Association of Australia (Distribution);
   - Mr Keith Orchison, Managing Director, Electricity Supply Association of Australia (Generation);
   - Mr Terry Campbell, Executive Chairman, JB Were;
   - Mr Lindsay Maxsted, Chief Executive Officer, KPMG;
   - Mr Chris Corrigan, Managing Director, Lang Corporation (Patricks);
   - Mr John Hartigan, Chief Executive Officer, News Limited;
Mr Ian Brown, A/g Chief Executive Officer, NRMA Insurance Group;
Mr Chris Anderson, Chief Executive Officer, Optus Cable and Wireless;
Mr Mike Bridge, Asia-Pacific Global Risk Management/Financial Services Leader, PriceWaterhouseCoopers;
Mr Geoff Dixon, Chief Executive Officer, Qantas;
Dr Ziggy Switkowski, Chief Executive Officer, Telstra Corporation;
Dr John Langford, Executive Director, Water Services Association of Australia;
Mr Robert Tonkin, Chief Executive Officer, ACT Chief Minister’s Department;
Dr Col Gellatly, Director General, NSW Premier’s Department;
Mr Paul Tyrell, Secretary, NT Chief Minister’s Department;
Dr Leo Keliher, Director-General, QLD Department of the Premier and Cabinet;
Mr Warren McCann, Chief Executive, SA Department of the Premier and Cabinet;
Ms Linda Hornsey, Secretary, TAS Department of the Premier and Cabinet;
Mr Terry Moran, Secretary, VIC Department of the Premier and Cabinet;
Mr Mal Wauchope, Director-General, WA Department of the Premier and Cabinet;
Mr Mick Keelty APM, Commissioner, Australian Federal Police;
Mr Graeme Thompson, Chief Executive Officer, Australian Prudential Regulation Authority;
Mr David Knott, Chair, Australian Securities and Investments Commission;
Mr Dennis Richardson, Director-General, Australian Security Intelligence Organisation; and
Mr Ron Bonighton, Director, Defence Signals Directorate.

(2) The Task Force met once only in Sydney on 26 March 2002, with some Task Force members also attending the workshops on the following day.

(3) Attendees at the Business–Government Task Force on Critical Infrastructure meeting were:
Mr Graeme John, Managing Director, Australia Post;
Mr Barry Jones, Executive Director, Australian Petroleum Production and Exploration Ltd;
Mr Jeff Olsson, Australian Stock Exchange Ltd;
Mr David Murray, Chief Executive Officer, Commonwealth Bank of Australia;
Mr Nino Ficca, Chief Executive/Managing Director, SPI PowerNet Pty Ltd, Electricity Supply Association of Australia (Distribution);
Mr Geoff Willis, Chief Executive Officer, Hydro Tasmania;
Mr Terry Campbell, Executive Chairman, JB Were;
Mr Lindsay Maxsted, Chief Executive Officer, KPMG;
Mr Maurice James, Director, Terminals, Lang Corporation (Patricks);
Mr Keith Gomes, Director, Strategy and Marketing, Optus Business;
Mr Robert Deakin, Director, Global Risk Management Solutions, PriceWaterhouseCoopers;
Mr Geoff Askew, General Manager, Security and Investigations, Qantas;
Mr David Harris, National General Manager, Corporate Security, Telstra Corporation;
Mr Alex Walker, Chief Executive, Sydney Water;
Mr Andrew Rice, Senior Manager, Policy, ACT Chief Minister’s Department;
Dr Col Gellatly, Director General, NSW Premier’s Department;

QUESTIONS ON NOTICE
Ms Jenny Blokland, NT Department of Justice;
Dr Leo Keliher, Director-General, QLD Department of the Premier and Cabinet;
Mr Paul Edgar, A/g Manager, Strategy and Innovation, SA Dept of Administration and Information Services;
Ms Rebekah Burton, Deputy Secretary, TAS Department of the Premier and Cabinet;
Mr Peter Harmsworth, Secretary, VIC Department of Justice;
Mr Bill Tinapple, Director, Petroleum, WA Department of Minerals and Petroleum;
Mr Tim Morris, Director, Investigations and Technical Operations, Australian Federal Police;
Mr Graeme Thompson, Chief Executive Officer, Australian Prudential Regulation Authority;
Mr David Knott, Chair, Australian Securities and Investments Commission;
Mr Dennis Richardson, Director-General, Australian Security Intelligence Organisation; and
Mr Ron Bonighton, Director, Defence Signals Directorate.

(4) The agenda for the meeting was:

DAY ONE
- Ministerial welcome;
- Opening remarks by joint chairpersons, Mr Robert Cornall, Secretary, Attorney-General’s Department and Mr John Rimmer, Chief Executive Officer, National Office for the Information Economy;
- Introduction of key-note speaker;
- Key-note presentation by Dr Andrew Rathmell, Research Leader, RAND Europe and Chief Executive Officer of the Information Assurance Advisory Council, United Kingdom - Building a trusted and secure business environment: accelerating change to maintain the competitive advantage;
- Questions;
- Outline of Proposed Government Activities;
- Discussion on How best to effect change: Business’ expectations of Government;
- Recommendations and resolutions; and
- Close.

DAY TWO (Workshops)
- Workshop on Critical infrastructure protection: a national security perspective presented by speaker Dennis Richardson, Director-General, Australian Security Intelligence Organisation and facilitated by Robert Cornall;
- Workshop on Sector interdependencies and shared vulnerabilities: is the information we rely upon safe and secure? presented by speaker John Donovan, Managing Director, Pacific, Symantec Corporation and facilitated by John Rimmer;
- Video presentation on Sleepless Frights II: The Human Factor [ANZ Bank security training video];
- Presentation by Simon Hewitt, Head of Global Information Security, ANZ Banking Group;
- Workshop on Information security awareness for managers: What do they really need to know? presented by speaker Ron Bonighton, Director, Defence Signals Directorate and facilitated by John Rimmer;

QUESTIONS ON NOTICE
The outcomes of the Task Force meeting were six recommendations for critical infrastructure protection. These recommendations were:

**Recommendation One:**
The Commonwealth and the States and Territories, in consultation with the private sector, should develop a strategic overview of risks to critical infrastructure and, as a first step, commit to prioritisation of tasks building on the work that has already been done to assess vulnerabilities in the telecommunications, transport and public utilities sectors, by 30 September 2002.

**Recommendation Two:**
The Commonwealth, in cooperation with the private sector and the States and Territories, should build on existing mechanisms, such as the Standing Advisory Committee on Commonwealth-State Cooperation for Protection Against Violence (SAC-PAV) and arrangements for emergency management, to ensure systems and procedures are in place to adequately protect the critical infrastructure.

**Recommendation Three:**
The Commonwealth should build a learning network among the key public and private sector organisations to improve systematic, strategic responses to the security of the National Information Infrastructure – separate from, but linked to, physical critical infrastructure protection and SAC-PAV.

The network should have a clear brand, clear responsibilities, protocols, priorities and a central point of contact for authoritative statements, but should also have redundancy and linkages to key international resources.

A public/private sector partnership to enhance national information infrastructure assurance should be developed out of this Business-Government Task Force for periodic consultation and advice to the network.

AusCERT should be strengthened as a central component of a national system for early warning and advice on immediate response and risk management. Issues to be discussed include funding and whether their advice would continue to be available for a fee only to member organisations, as at present.

The Commonwealth, in consultation with the private sector, should examine major threats and interdependencies in telecommunications and banking as an example of specific, targeted consideration between the relevant agencies and organisations.

**Recommendation Four:**
The Commonwealth, States and Territories should review their legislative frameworks for sharing information so as to facilitate the supply of information by business, ensure its confidentiality and exclude liabilities.

**Recommendation Five:**
The Commonwealth should develop models of good critical infrastructure assurance, taking into account relevant standards, in consultation with the private sector and the States and Territories.

**Recommendation Six:**
The Commonwealth, States and Territories should examine ways to encourage investment in the security and resilience of critical infrastructure.

(5) There are no plans for the Task Force to reconvene.
Disability Discrimination Act Standards Working Group
(Question No. 2346)

Mr McClelland asked the Attorney-General, upon notice, on 9 September 2003:


(2) During the past twelve months, (a) on what dates has the Working Group met, and (b) what matters have been considered by the Working Group.

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

(1) The Disability Discrimination Act Standards Working Group comprises representatives from: the Attorney-General’s Department (Assistant Secretary, Human Rights Branch and a Principal Legal Officer and Senior Legal Officer from that branch); the Human Rights and Equal Opportunity Commission (Deputy Disability Discrimination Commissioner); the Disability Discrimination Act Standards Project (the Convenor, Deputy Convenor and National Coordinator); a member of the National Disability Advisory Council; and the Department of Family and Community Services (Assistant Secretary, Office of Disability and a Director from that branch).

(2) (a) During the last 12 months, the Working Group met on 8 February 2003 and 3 September 2003.

(b) At these meetings, the Working Group considered the following matters:

(i) reports on activities undertaken by the Disability Discrimination Act Standards Project which works to coordinate disability sector input into standards development and the future role of this Project,

(ii) updates on Disability Standards including the Disability Standards for Accessible Public Transport, the draft Disability Standards for Education and the draft Disability Standard on Access to Premises, and

(iii) progress in the establishment of the Australian Federation of Disability Organisations.

Standing Committee of Attorneys-General: Human Rights
(Question No. 2347)

Mr McClelland asked the former Attorney-General, upon notice, on 9 September 2003:

Further to the answer to question No. 1967 (Hansard, 28 February 2001, page 24741), will he update that answer in respect of the meeting of the Standing Committee of Attorneys-General held in Canberra in August 2003.

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

(1) (a) The Commonwealth’s Human Rights Paper, placed before the 7-8 August 2003 meeting of the Standing Committee of Attorneys-General, included the following human rights issues:

• the Draft Declaration on the Rights of Indigenous Peoples

• the Optional Protocol to the Torture Convention

• the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination Against Women

• the Optional Protocols to the Convention on the Rights of the Child

• the ILO Convention on the Elimination of the Worst Forms of Child Labour

• proposals for a Convention on the Rights of People With Disabilities

• complaints under International Communications procedures

• reporting under International Communications procedures

• the Australia-Indonesia Working Group on Legal Cooperation

• the Australia-Vietnam Human Rights Dialogue
• the Australia-China Human Rights Dialogue
• the Australia-Iran Human Rights Dialogue
• Disability discrimination legislation and Disability Standards
• the development of age discrimination legislation
• the reform of the Human Rights and Equal Opportunity Commission (HREOC) and appointments to HREOC
• amendments to human rights legislation
• the Non-Government Organisations Forum on Domestic Human Rights
• the Decade of Human Rights Education
• the Joint Standing Committee on Treaties Report on the Convention on the Rights of the Child
• the National Action Plan on Human Rights
• legal reform in HIV/AIDS and the Fourth National Strategy
• the Human Rights and Equal Opportunity Commission report, “Pregnant and Productive: It’s a right not a privilege to work while pregnant”
• human rights matters in Federal Courts
• sterilisation of persons with a decision-making disability, and
• the Catholic Education Office’s proposal to offer teacher training scholarships to male students.

Other human rights issues on the agenda were the sterilisation of minors with a decision-making disability and transgender issues.

(b) The Commonwealth’s Human Rights Paper serves to inform States and Territories about the activities of the Commonwealth in the human rights area. Matters raised in the paper were noted by State and Territory Attorneys-General.

The matters raised in the officers’ papers on the sterilisation of minors with a decision-making disability and transgender issues were considered by the Standing Committee of Attorneys-General.

(2) The next meeting is scheduled to be held in Hobart on 13-14 November.

Reference Group on Identity Fraud

(Question No. 2350)

Mr McClelland asked the Minister representing the Minister for Justice and Customs, upon notice, on 9 September 2003:

In respect of the feasibility study of an on-line identity verification service announced by the Minister on 6 July 2003, (a) who is responsible for conducting the study, (b) what are its terms of reference, (c) what is its budget, (d) which agencies and organisations will be consulted in the study, (e) how will State and Territory Governments be involved in the study, (f) when is the study due to be completed, (g) to whom will the report of the study be provided, and (h) will the report of the study be made public; if so, when.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(a) The feasibility study of an on-line verification service forms part of a ‘whole of government’ strategy to examine measures to combat identity fraud.

In June 2003, the Commonwealth government agreed to the development of proposals to address identity misuse and that the Attorney-General’s Department be the lead agency and coordinate the work of all relevant agencies.
The Reference Group on Identity Fraud is a committee composed of representatives from nineteen Commonwealth agencies and chaired by the Attorney-General’s Department. It has been established to guide the development of a ‘whole of government’ strategy. The strategy involves 3 separate components and Steering Committees have been established to develop the detailed feasibility work. Work on each aspect is underway and covers:

- A proposal for a common set of identifying documents of higher integrity to be used by Commonwealth agencies for purposes of identifying clients.
- A proposal for the establishment of an on-line identity verification service for primary identification documents.
- The development of proposals for more well-defined, cross-agency data matching to detect fictitious identities and cleanse identity registers.

The Attorney-General’s Department will chair the on-line identity verification Steering Committee which is composed of representatives of relevant Commonwealth and State and Territory government agencies.

(b) The Terms of Reference of the on-line verification service feasibility study are:

1. The outcomes from work being undertaken to examine the feasibility of a common set of Proof of Identity processes will provide some key design elements for the Document Verification Service (DVS);
2. The Feasibility Study (Study) will be developed in partnership with relevant Commonwealth and State/Territory government agencies;
3. The outcome of this Study will not deliver or build a DVS but rather propose possible frameworks, including relevant specifications and business rules, along with key factors for consideration if implementation of the DVS is agreed;
4. The Study will clearly outline the differing roles and responsibilities of the service operator, data providers and users of any such Service;
5. The Study will aim to retain or increase existing privacy protections at the same time as meeting its other objectives. In doing so, the design considerations for the Study will give due regard to individual privacy interests (e.g. reducing identity theft), the broader community interest in protecting privacy, and other broad community interests.
6. The Study will consider how not to compromise the effective operation of the assumed identities regime by law enforcement and intelligence agencies;
7. The Study will include an outline of the required accountability framework for the DVS and include reference to the responsibilities of the service operator, data providers and users. In addition, the Study will examine issues related to independent oversight, audit reporting and review structures and appropriate complaints-handling mechanisms; and
8. The Study will consider the implications of any future possible extension of this Service to the non-government and private sectors.

(c) The costs associated with undertaking the feasibility study are being met by participating agencies from their existing budgets.

(d) Agencies participating in the development of the feasibility study are:

- Attorney-General’s Department,
- Australian Crime Commission,
- Australian Electoral Commission,
- Australian Federal Police,
- Australian Taxation Office,

QUESTIONS ON NOTICE
Australian Security Intelligence Organisation,
AUSTRAC,
Centrelink,
Australian Customs Service,
Department of Foreign Affairs and Trade,
Department of Immigration and Multicultural and Indigenous Affairs,
Department of Veterans Affairs,
Department of Family and Community Services,
Department of Finance,
Department of Health and Ageing,
Health Insurance Commission,
National Office of Information Economy,
Office of the Federal Privacy Commissioner and
Department of Treasury.
The States and Territories Registries of Birth, Deaths and Marriages and Austroads are also being consulted.

(e) State and Territory governments are involved through the participation of the Registries of Births, Deaths and Marriages and Austroads.

(f) The feasibility study is due for completion in late October 2003.

(g) The study will form the basis of a report to Government.

(h) A decision on publication of the study will be made by Government when it is completed.

Crime: Money Laundering

(Question No. 2352)

Mr McClelland asked the Minister representing the Minister for Justice and Customs, upon notice, on 9 September 2003:

(1) Has the Government commenced consultations with the private sector on the revised Forty Recommendations of the Financial Action Task Force on Money Laundering; if so, which organisations has the Government consulted in relation to new obligations on (a) financial institutions, (b) casinos, (c) real estate agents, (d) dealers in precious metals, (e) dealers in precious stones, (f) lawyers, notaries, other independent legal professionals and accountants, and (g) trust and company service providers.

(2) What other steps is the Government taking to implement the revised Forty Recommendations.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) Yes. The Government conducted preliminary consultation with the private sector during 2002–03 during the review of the Forty Recommendations by the Financial Action Task Force on Money Laundering (FATF). The organisations consulted were:

ABN AMRO Morgans Limited
American Express International, Inc
AMP Limited
Argyle Diamonds

QUESTIONS ON NOTICE
Australasian Institute of Banking & Finance
Australia and New Zealand Banking Group Limited
Australian Antique Dealers Association
Australian Association of Permanent Building Societies
Australian Bankers’ Association
Australian Business Limited
Australian Casino Association
Australian Chamber of Commerce and Industry
Australian Commercial Galleries Association Incorporated
Australian Finance Conference Limited
Australian Financial Markets Association
Australian Financial Operations Association
Australian Stock Exchange Limited
Bendigo Bank
BNP Paribas Australia
Business Council of Australia
Challenger
CPA Australia
Credit Suisse First Boston
Credit Suisse Asset Management
Credit Union Services Corporation (Australia) Limited
Colonial First State Investments Limited
Commonwealth Bank of Australia
Deloitte Touche Tohmatsu
Deutsche Bank
Ernst & Young
Financial Planning Association of Australia
ING Bank
Institute of Chartered Accountants in Australia
International Banks and Securities Association of Australia
Insurance Council of Australia
INVESCO Australia
Investment and Financial Services Association Limited
IOOF Investment Management
IPAC Investment Management
JBWere
JP Morgan
KPMG Australia
Law Council of Australia
Macquarie Bank Limited
MLC
National Australia Bank Limited
National Institute of Accountants
Notaries Society of South Australia
Ord Minnett
PricewaterhouseCoopers
Real Estate Institute of Australia
St George Bank Ltd
Salomon Smith Barney
Securities and Derivatives Industry Association
Small Business Association of Australia
Suncorp-Metway Ltd
Sydney Futures Exchange
Travelex plc
Vanguard Investments Australia Limited
Western Union
Westpac Banking Corporation

In addition, the Minister for Justice and Customs has met with financial sector industry representatives to discuss a process for industry consultation and input in implementing the revised Forty Recommendations.

(2) The Government will consider implementation of the revised FATF Forty Recommendations as part of its review of Australia’s anti-money laundering system. All affected industry sectors will be consulted.

Crime: Revenue
(Question No. 2353)

Mr McClelland asked the Minister representing the Minister for Justice and Customs, upon notice, on 9 September 2003:

(1) What is the actual or estimated revenue from the Proceeds of Crime Act 2002 in each financial year from 2002-2003 to 2006-2007?

(2) To what programs or initiatives has this revenue been committed and how much has been committed to each such program or initiative in each financial year?

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) The Insolvency and Trustee Service Australia (ITSA), the Official Trustee, advises that the final balance of the Confiscated Assets Account (CAA) was $161,605.64 for the financial year 2002-2003. The 2003-04 Portfolio Budget Statements for the Attorney-General’s Portfolio estimate $5 million in revenue from assets confiscated under the Proceeds of Crime Act 2002. (Estimates of revenue over future financial years will be based upon final outcomes for the 2003-04 financial year.) As at 31 August 2003, the balance of the CAA was $714,284.16.

(2) Section 298 of the 2002 Act provides that the Minister may approve a program of expenditure for one or more of the following purposes: crime prevention measures; law enforcement measures;
measures relating to treatment of drug addiction; and diversionary measures relating to the illegal use of drugs. To date no revenue has been committed to programs or initiatives.

Motor Vehicles: DasFleet Passenger Charter
(Question No. 2369)

Mr Martin Ferguson asked the Minister representing the Minister for Finance and Administration, upon notice, on 10 September 2003:

(1) What is the itemised cost of producing the DasFleet Passenger Charter.

(2) Have any actions been taken in the Human Rights Commission by any of its employees or former employees against DasFleet in each of the last four financial years, including the current financial year; if so, for each instance (a) on what basis was the case initiated, (b) what has been the cost of defending the case to date, and (c) did it involve claims of harassment, discrimination or both.

(3) Were a number of Victorian drivers refused supply of new shoes on presentation of vouchers for the purchase of such shoes over the course of the past twelve months; if so, (a) why were the vouchers not honoured by the retailer, (b) how many drivers were embarrassed by the vouchers not being honoured, and (c) has DasFleet apologised to the drivers in question; if not, why not.

Mr Costello—The Minister for Finance and Administration has provided the following answer to the honourable member’s question:

The Minister for Finance and Administration has no portfolio responsibility for any organisation named “DasFleet”.

Employment: Assistance Programs
(Question No. 2378)

Mr Albanese asked the Minister for Employment Services, upon notice, on 11 September 2003:

(1) Using the Post Programme Monitoring Survey would the Minister for Employment Services outline the weekly income from employment obtained by former employment assistance participants over the duration of ESC2.

(2) Could this information be provided for all employment assistance programmes.

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

The average income obtained by former employment assistance participants who were in employment at the time of the survey is given in the table below. Analysis of outcomes data in the longer term reveals that people who find employment following programs generally move into higher paid jobs over time.

<table>
<thead>
<tr>
<th>Program</th>
<th>Average weekly earnings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Matching</td>
<td>453.32</td>
</tr>
<tr>
<td>Job Search Training</td>
<td>451.72</td>
</tr>
<tr>
<td>Intensive Assistance</td>
<td>405.22</td>
</tr>
<tr>
<td>New Enterprise Incentive Scheme</td>
<td>483.44</td>
</tr>
<tr>
<td>Work for the Dole</td>
<td>412.32</td>
</tr>
<tr>
<td>Indigenous Employment Programmes</td>
<td>486.40</td>
</tr>
</tbody>
</table>
Employment: Assistance Programs  
(Question No. 2379)

Mr Albanese asked the Minister for Employment Services, upon notice, on 11 September 2003:

(1) Using the Post Programme Monitoring Survey would the Minister for Employment Services outline the occupation of employment obtained by former employment assistance participants over the duration of ESC2.

(2) Could this information be provided for all employment assistance programmes.

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

The occupation of former employment assistance participants is collected under the Australian Standard Classification of Occupations (ASCO) classification. The table below shows the proportion of former participants employed 3 months after leaving assistance in each classification by programme. Analysis of outcomes data in the longer term reveals that people who find employment following programs generally move into higher skilled jobs over time.

<table>
<thead>
<tr>
<th>ASCO Job Category</th>
<th>Job Matching</th>
<th>Job Search Training</th>
<th>Intensive Assistance</th>
<th>Work for the Dole (1)</th>
<th>Indigenous Employment Programs (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Managers and Administrators</td>
<td>0.2%</td>
<td>0.6%</td>
<td>0.3%</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Professionals</td>
<td>1.4%</td>
<td>7.9%</td>
<td>3.9%</td>
<td>4.3%</td>
<td>n/a</td>
</tr>
<tr>
<td>Associate Professionals</td>
<td>3.2%</td>
<td>6.4%</td>
<td>4.1%</td>
<td>4.7%</td>
<td>n/a</td>
</tr>
<tr>
<td>Tradespersons and Related Workers</td>
<td>10.5%</td>
<td>10.8%</td>
<td>10.3%</td>
<td>10.3%</td>
<td>15.5%</td>
</tr>
<tr>
<td>Advanced Clerical and Service Workers</td>
<td>1.0%</td>
<td>1.3%</td>
<td>0.8%</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Intermediate Clerical, Sales and Service Workers</td>
<td>21.9%</td>
<td>23.6%</td>
<td>18.6%</td>
<td>23.4%</td>
<td>28.7%</td>
</tr>
<tr>
<td>Intermediate Production and Transport Workers</td>
<td>13.4%</td>
<td>11.5%</td>
<td>15.3%</td>
<td>11.2%</td>
<td>9.8%</td>
</tr>
<tr>
<td>Elementary Clerical, Sales and Service Workers</td>
<td>18.3%</td>
<td>18.8%</td>
<td>15.6%</td>
<td>15.9%</td>
<td>14.7%</td>
</tr>
<tr>
<td>Labourers and Related Workers</td>
<td>30.0%</td>
<td>19.1%</td>
<td>31.1%</td>
<td>29.1%</td>
<td>19.3%</td>
</tr>
</tbody>
</table>

1. Some ASCO categories did not have a statistically significant number of participants from WFD or IEP.
2. ASCO codes are not available for former NEIS or TTW participants.

Employment: Job Network  
(Question No. 2381)

Mr Albanese asked the Minister for Employment Services, upon notice, on 11 September 2003:

What initiatives were taken by both DEWR and Centrelink to inform jobseekers about the changes to the Job Network that occurred on 1 July 2003 and what was the total expenditure on these initiatives, including the costs of developing and producing pamphlets, mail-outs and advertisements.

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

Job seekers were informed about the changes to Job Network in several ways including:
• direct mail—eligible job seekers received personalised letters informing them of the new servicing arrangements;
• press advertising in rural, regional and suburban press as well as ethnic, indigenous and specialty press; and
• two specific brochures explaining the changes to Job Network were developed and distributed as part of the mail out. The brochures were also distributed widely through Job Network and Centrelink offices.

Job seekers were directed to a call centre specifically established to assist with these changes.

The total cost of these communication initiatives was $1,271,418.97 including:
• $153,049.70 for development and printing of two brochures and translating them into 20 community languages;
• $905,084.12 for the mail out to mid September 2003; and
• $213,285.15 for press advertising.

In addition, DEWR paid Centrelink $4.9 million for call centre operations associated with these changes.

United Nations: Human Rights Committee
(Question No. 2383)

Mr Danby asked the Attorney-General, upon notice, on 11 September 2003:

(1) Is he aware of the ruling by the Human Rights Committee (HRC) of the United Nations in the case of Young v Australia; if so, (a) what are the details of the HRC ruling, and (b) what did the HRC say about section 5E of the Veterans’ Entitlement Act 1986.

(2) Is the HRC decision binding in (a) domestic law, and (b) international law.

(3) Is the Government under an obligation to respond to the findings of the HRC; if so, what is the Government’s response.

(4) Is the Government considering which other Commonwealth laws and payments may be affected by the decision of the HRC; if so, is he able to say which laws and payments may be affected.

(5) Is he aware of the statement by the Prime Minister on 24 August 2001 to the effect that he is opposed to discrimination on the basis of sexual preference.

(6) Will he introduce legislation to ensure that Australia complies with international law in respect of these matters.

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

(1) I am aware that on 6 August 2003 the Human Rights Committee adopted views, under the Optional Protocol to the International Covenant on Civil and Political Rights concerning communication 941/2000 submitted on behalf of Mr Edward Young.

(a) The Human Rights Committee expressed the view that Australia has violated article 26 of the Covenant by denying the author, Mr Edward Young, a pension under the Veterans’ Entitlements Act 1986 on the basis of his sex or sexual orientation.

(b) With respect section 5E of the Veterans’ Entitlement Act 1986, the Human Rights Committee found that as a same sex partner, Mr Edward Young “did not have the possibility of entering into marriage. Neither was he recognized as a cohabiting partner of Mr. C, for the purpose of receiving pension benefits, because of his sex or sexual orientation.”

(2) Views adopted by Human Rights Committee are not binding on Australia in domestic or international law.
(3) The Government has been requested by the Human Rights Committee to provide information about the measures taken to give effect to the views. The Government is currently considering the Committee’s views.

(4) As indicated, the Government is considering the Committee’s views and cannot comment further at this stage.

(5) Yes.

(6) As indicated, the Government is considering the Committee’s views. The Government does not acknowledge that Australia has failed to comply with international law.

Hamas Support Group
(Question No. 2390)

Mr Danby asked the Attorney-General, upon notice, on 15 September 2003:

(1) Is he aware of the death notice which appeared in the West Australian on 27 August 2003 for Ismail Abu Shanab, a senior Hamas operative, which was placed by the ‘Hamas Support Group, WA’.

(2) Is the Government aware of the ‘Hamas Support Group, WA’; if so, (a) when did the Government become aware of the group, (b) is the group, and its members, under investigation for any breaches of the law, and (c) what information can he provide about the group; if not, will intelligence authorities investigate the death notice in the West Australian.

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

(1) Yes.

(2) Relevant agencies have investigated the death notice placed on 27 August 2003 in the West Australian, attributed to the ‘Hamas Support Group, WA’. It has been determined that it was placed by individual expressing personal views, rather than by any group which supports Hamas.

Employment: Job Network
(Question No. 2395)

Mr Albanese asked the Minister for Employment Services, upon notice, on 15 September 2003:

What was the total cost of the meeting held on 26 June 2003 at the Sydney Airport Hilton involving the CEOs of Job Network providers, and, in particular, what was (a) the cost of hiring the venue, (b) the cost of the video link to 11 locations around the nation, and (c) the cost of hiring each of the venues which received the video signal.

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

The total cost was $4875.90.

(a) $1250

(b) $3168

(c) $0. The video link went to Departmental offices around the country and there was no hiring cost involved.

Defence: Interactive Multimedia Resource Kit
(Question No. 2402)

Mr Martin Ferguson asked the Minister Assisting the Minister for Defence, upon notice, on 16 September 2003:
QUESTIONs ON NOTICE

(1) What was the cost of producing and distributing the interactive multimedia resource kit Defence 2020, how many packs were distributed and to what organisations other than schools was the pack distributed.

(2) When did the Government’s Defence 2020 program commence, when will it expire and how much money has been allocated to the program.

(3) At which locations were the 14 Youth Challenges held as part of the Defence 2020 program, how were the locations selected, how many people participated and how were the participants selected.

Mr Brough—The answer to the honorable member’s question is as follows:

(1) $685,000. A total of 3,100 Defence 2020 packs were distributed to secondary schools. A further 225 packs were sent to key stakeholders in the program including state and territory education departments; teachers’ unions, returned service organisations, and guests and media attending the associated regional “Youth Challenge” events. Defence distributed 275 packs to Senators and Members of Parliament.

(2) The Defence 2020 Education Resource Program was commissioned in March 2002. The education resource kit was distributed to secondary schools in June-July 2003.

The Youth Challenge component of the program commenced in May 2003 and will conclude with a National Forum in Canberra on 29 October 2003. The associated website will be maintained until approximately June 2004. The total budget for the Defence 2020 program is $1.3 million.

(3) Adelaide, Bendigo, Brisbane, Canberra, Darwin, Geelong, Hobart, Melbourne, Newcastle, Perth, Sydney and Townsville.

The locations were selected on the basis of past experience with similar programs, the availability of suitable venues, the proximity to Defence bases and the requirement to ensure a balance between regional and metropolitan areas.

A total of 1,070 students and 156 teachers from 169 schools attended the Youth Challenges. All Australian secondary schools were invited to attend the events. The students were selected by the participating schools. Schools were advised initially that year nine to eleven students would benefit most from the course curriculum.

Australian Security Intelligence Organisation: Database

(Question Nos. 2407 and 2408)

Mr McClelland asked the Attorney-General, upon notice, on 17 September 2003:

(1) In respect of paragraphs 37, 38 and 39 of the National Counter-Terrorism Plan, which Commonwealth agency is responsible for developing a database on nationally significant critical infrastructure.

(2) What is the definition of “critical infrastructure” for the purposes of the database.

(3) Who is responsible for determining which critical infrastructure will be included in the database.

(4) What test does the Government apply to determine whether critical infrastructure is of national significance or importance.

(5) To whom and by when are Commonwealth agencies, and States and Territories obliged to identify critical infrastructure for inclusion in the database.

(6) Has the Commonwealth Government identified a consistent format for Commonwealth agencies, States and Territories to follow when providing information on critical infrastructure within each jurisdiction; if so, (a) what information must be provided and in what format, and (b) when was that format communicated to Commonwealth agencies, States and Territories; if not, why not.

(7) What is the purpose of the database and who will be able to access it.
When does the Government aim to have the database operational.

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

(1) The Australian Security Intelligence Organisation (ASIO) has been tasked by the National Counter-Terrorism Committee (NCTC) to develop the database on nationally significant critical infrastructure.

(2) Critical Infrastructure is defined in the National Counter-Terrorism Plan as ‘infrastructure which, if destroyed, degraded or rendered unavailable for an extended period, will impact on social or economic well-being or affect national security or defence’.

(3) Australian Government agencies and the States and Territories, in cooperation with the private sector where relevant, have the role of identifying infrastructure that is critical to them and passing that information to ASIO.

(4) A risk framework has been developed and will be further refined in consultation with Australian Government agencies and the States and Territories using the definition at paragraph (2) as a guide.

(5) Australian Government agencies and the States and Territories are currently providing information for inclusion in the database to ASIO.

(6) The NCTC developed a consistent format for use by all Australian Government agencies and the States and Territories.

(a) The information sought in the format included details of business continuity plans, risk analyses, security arrangements and key input/resource dependencies.

(b) The format was communicated to Australian Government agencies and the States and Territories in January 2003.

(7) The purpose of the database is to provide a consolidated listing of those assets which are considered to be critical to Australia’s economic well-being, or affect national security. This information will be used to consider whether any action is required to improve the resilience, redundancy or protection of those assets. The NCTC will oversight management of the information and the uses to which the data can be put. ASIO, the manager of the database, will not provide data to others without the approval of the NCTC. Furthermore, the Australian Government does not intend that the data will be used for regulatory purposes.

(8) The database is operational now. Data entry is ongoing.

(9) The cost of the database will be met within ASIO’s budget from funds provided as part of the Government’s Critical Infrastructure Protection policy initiative of October 2002.

Hague Conventions
(Question No. 2411)

Mr McClelland asked the Attorney-General, upon notice, on 17 September 2003:

Will he update the information he gave concerning conventions in the Hague Conference system in the answer to question No. 905 (Hansard, 11 November 2002, page 8746).

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

Since the answer given by the previous Attorney-General, Mr Daryl Williams AM QC MP, of 11 November 2002 (Hansard, 11 November 2002, page 8746), Australia has ratified one additional Convention, The Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of
Children. This Convention was ratified by Australia on 29 April 2003 and entered into force on 1 August 2003. Australia has therefore now ratified or acceded to ten Hague Conventions.

The Attorney-General’s Department’s work on Hague Conference matters is currently focused on administrative work required under those Conventions to which Australia is a party and participation in the following Special Commissions at The Hague:

- between 28 October and 4 November 2003 on the practical operation of the judicial assistance Conventions (the 1970 Convention on the Taking of Evidence Abroad in Civil or Commercial Matters, the 1961 Convention Abolishing the Requirement of Legalisation for Foreign Public Documents (to both of which Australia is a party) and the 1965 Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters). The Attorney-General’s Department is reviewing whether Australia should accede to this latter Convention; and
- between 1 and 9 December 2003 to consider a draft text of the proposed Convention on Jurisdiction and Recognition of Foreign Judgments in Civil and Commercial Matters.

The Department also recently participated in December 2002 in meetings of the Special Commission on the proposed Convention on the Law Applicable to Certain Rights in respect of Securities held with an Intermediary (at which the draft text for the Convention was substantially finalised – implementation is now being considered by the Department of Treasury), in April 2003 in the Special Commission on General Affairs and Policy, and in May 2003 in the Special Commission to develop a new world-wide Convention on the Recovery of Maintenance (concerning the international recovery of child support and other forms of family maintenance).


The previous Attorney-General, Mr Williams, visited The Hague and met with Mr Hans van Loon, Secretary-General of The Hague Conference, on 2 October 2003 to discuss Australia’s participation in the work of the Conference.

United Nations Commission on Human Rights: Chair
(Question No. 2412 and 2413)

Mr McClelland asked the Minister for Foreign Affairs, upon notice, on 16 September 2003:

(1) Does the Government intend to nominate an Australian candidate to be Chairperson of the UN Commission on Human Rights; if so, (a) what are the Government’s reasons for nominating, and (b) who will be Australia’s candidate.

(2) What items are on the agenda for the 60th session of the Commission in 2004.

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

(1) The position of Chair of the UN Commission on Human Rights rotates on a regular basis among the five main UN electoral groups. In 2004 it will be the turn of the Western European and Others Group (WEOG - of which Australia is a member) to hold the position of Chair. WEOG members have endorsed Australia to be the Group’s candidate for Chair. This is expected to be formalised at a one day session of the Commission on 19 January 2004 when the Bureau for the sixtieth session of the Commission will be elected.

(a) Australia is one of the three Vice-Chairs of the Commission this year. Chair of the Commission in 2004 would be a natural progression from the role we have been pursuing in the Commission in 2003.
(b) Mr Mike Smith, Australia’s Ambassador to the United Nations in Geneva, would represent Australia on the Commission if Australia was elected to the position of Chair. Ambassador Smith currently represents Australia in the position of Vice-Chair of the Commission.

(2) A provisional agenda for the annual session of the Commission on Human Rights is circulated by the United Nations at least six weeks before the start of the session. A final agenda is adopted at the commencement of each annual session. The agenda from CHR59 this year can be taken as a guide to the agenda for the next session as can resolutions put forward at previous sessions. These documents are available on the UN Office of the High Commissioner for Human Rights website (www.unhchr.ch).

Employment: Job Network
(Question No. 2422)

Mr Albanese asked the Minister for Employment Services, upon notice, on 18 September 2003:
Would he advise (a) what amounts will be paid to Job Network providers at the beginning of each quarter over the remaining duration of ESC3, (b) how these quarterly payments are calculated, and (c) whether providers are required to acquit these quarterly payments.

Mr Brough—The answer to the honourable member’s question is as follows:
(a) Currently, the total amount for quarterly service fees payable at the beginning of each quarter is $29 million.
(b) The methodology used in calculating the payment is as follows:
Total referral, re-referral, Intensive Support Review and Intensive Support Job Search Training assessment interviews expected to occur during the financial year x appropriate fee in fee schedule x provider national business share divided by four.
(c) The quarterly payments to Job Network providers are based on expected servicing of relevant appointments and providers’ national business share. Rather than line by line acquittal, they are subject to the performance management and monitoring processes set out in the Employment Services Contract 2003-2006. Unlike previous contracts, ESC3 contains provision for removal of all or part business for under performance.

Employment: Job Seekers
(Question No. 2423)

Mr Albanese asked the Minister for Employment Services, upon notice, on 18 September 2003:
(1) Does he recall telling the annual conference of the National Employment Services Association on 22 August 2003 that: “Today, as I stand before you, there are more than 60,000 Australians who have received unemployment who you have made numerous attempts to get through your doors, who have had letters, who have had phone calls from you and Centrelink. They’ve had their doors knocked on.”

(2) How many job seekers have been door-knocked by staff from either Centrelink or Job Network providers between 1 July 2003 and 31 August 2003.

Mr Brough—The answer to the honourable member’s question is as follows:
(1) Yes.
(2) My use of the term ‘They’ve had their doors knocked on’ was a figure of speech to emphasise the efforts made by Job Network members and Centrelink to follow-up on job seekers by sending them letters, making reminder calls and rebooking appointments in order to have job seekers attend
appointments. More than 2 million letters and telephone calls have been sent or made to job
seekers by Centrelink or a Job Network member during the transition to An Active Participation
Model. Having said this, I have been advised by Job Network members that they have, in some
cases, resorted to door-knocking to encourage job seeker attendance at appointments. These
reports are, however, anecdotal and statistics as to how many job seekers have been approached in
this manner have not been kept.

National Security: Maritime Industry
(Question No. 2431)

Mr McClelland asked the Minister for Justice and Customs, upon notice, on 18 September
2003:

(Please note that after due consideration and as agreed with ACS, this question has now
been taken over by DoTARS on behalf of the Minister for Transport and Regional Services).

What measures has the Minister taken since 11 September 2001 to ensure that security has been in-
creased at major Australian ports and waterways?

Mr Anderson—The answer to the honourable member’s question is as follows:
As a result of the heightened awareness of security issues surrounding the international maritime indus-
try following the terrorist attacks of September 11 2001, the International Maritime Organization (IMO)
developed a new preventive maritime security regime to enhance security at ports, port facilities and on
board ships. The Australian Government has actively supported the IMO action to strengthen global
maritime security through amendments to the Safety of Life at Sea (SOLAS) Convention and its com-
panion International Ship and Port Facility Security (ISPS) Code, which comes into effect from 1 July
2004.

On 18 September 2003 I introduced into Parliament the Maritime Transport Security Bill 2003, which
gives effect to the International Ship and Port Facility Security Code requirements in Australia. The Bill
establishes the framework for a nationally consistent preventive security regime to guide the Australian
maritime industry towards compliance with the IMO requirements. The Bill also sets out a nationally
consistent enforcement regime, which is supported by appropriate penalties for non-compliance. The
introduction of the Bill follows consultations with an array of stakeholders, including State and North-
ern Territory Governments, their marine authorities and peak maritime industry bodies.

Preventive security for ports and waterways is presently a State and Territory Government responsibil-
ity. However, in order to ensure security arrangements at Australia’s ports and on our waterways prior to
the introduction of the new maritime security regime, my Department has liaised extensively with State
and Northern Territory Governments, their police forces and the maritime industry. My Department has
promoted security awareness, practices and procedures, as well as provided draft guidance material to
assist the maritime industry to conduct security risk assessments and to develop draft security plans
required by the proposed legislation.

The Government’s serious and comprehensive approach to building strong border protection strategies
is reflected in:
• the $15.6 million allocated in the 2003-04 budget over the next two years to tighten Australia’s port
  and maritime security;
• the progressive implementation by Customs of new container examination facilities in the ports of
  Sydney, Melbourne, Brisbane and Fremantle; and
• the installation of high-speed satellite communications equipment to Coastwatch aircraft, that pro-
  vides for the high-speed transmission of real-time data and imagery between surveillance aircraft
  and the Coastwatch National Surveillance Centre.

QUESTIONS ON NOTICE
Nuclear Energy: Lucas Heights Reactor  
(Question No. 2433)

Mr McClelland asked the Minister for Education, Science and Training, upon notice, on 18 September 2003:

What steps has he taken since 11 September 2001 to ensure (a) the safety of Australia’s nuclear infrastructure, and (b) that all staff and officials working at Australia’s nuclear facilities are not a threat to the security of those facilities.

Dr Nelson—The answer to the honourable member’s question is as follows:

(a) The Government appreciates that security of Commonwealth sites such as the Lucas Heights Science and Technology Centre is an important element in Australia’s national security arrangements. Operating on advice from the Australian Security Intelligence Organisation (ASIO), ANSTO has been maintaining enhanced security awareness since September 11 2001. Some details of these measures must necessarily remain confidential to ensure their effectiveness, but they include both strengthened physical security measures and enhanced guarding arrangements by the Australian Protective Service (APS). Security plans for the Lucas Heights Science and Technology Centre also provide for support from the NSW Police and use of the Australian Defence Force in appropriate circumstances.

All ANSTO’s nuclear facilities and materials are protected in accordance with stringent national and international physical protection obligations. The HIFAR reactor itself is enclosed within a separate high security area on the Lucas Heights site. Security arrangements for the Lucas Heights site will continue to be reviewed in the light of current assessments of the security situation.

A full Protective Security Risk Review of the site was undertaken by ASIO in 2002. The findings of this review, including the need for a new front gate complex, have been taken into account by ANSTO in its security arrangements. The Government provided $17.9 million in the 2003-04 budget for enhanced security at ANSTO, including the new front gate. The proposal for the new front gate is currently subject to consideration by the Public Works Committee.

(b) All persons that have regular access to the Lucas Heights Science and Technology Centre including people who work at Lucas Heights, regular contractors and frequent visitors are subject to a scaled security check and subsequent issue of a photo identification pass, in accordance with Commonwealth Government security standards. This approach is designed to ensure that unsupervised access to secure areas is confined to trusted workers whose employment requires access to these areas.

All visitors are escorted at all times. Some contractors required for urgent unplanned or emergency work are issued with day passes but are subject to close supervision.

National Security: Terrorism  
(Question No. 2435)

Mr McClelland asked the Attorney-General, upon notice, on 18 September 2003:

What steps has he taken since 11 September 2001 to increase the capability of the Australian Government to (a) monitor individuals suspected of links to terrorism, and (b) identify and investigate people suspected of facilitating terrorist activity through fundraising, logistical support and recruitment.

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

Since 11 September 2001, ASIO has received the following additional funding relating to Counter Terrorism:

- $48.3 million over four years in 2002-03, and $14.9 million per annum thereafter following 11 September;
• $28.5 million over five years in 2002-03, following the Bali attack;
• $19.9 million over four years in 2003-03 to further strengthen analysis and liaison capabilities;
• $3.6 million to undertake aviation security identification card checking.

Funding provided since 11 September 2001 enabled ASIO to recruit additional resources to undertake investigations and analysis, establish a 24 hour all source monitoring and alert unit, enhance cross-agency CT cooperation, and strengthen its overseas liaison and communication capabilities with the establishment of additional overseas posts. ASIO is further strengthening its capabilities including its border control, critical infrastructure protection and threat assessments.

As stated by the Director-General of Security on 30 April 2003, since 11 September ASIO has received all the additional budget funds it has sought. Its budget has been increased by just over 50% since that time.

ASIO currently has around 680 staff and will be growing over the next two years.

The Government has also passed new legislation to increase the capacity of security and law enforcement agencies to investigate and prevent terrorist activity. In July 2002, five of the six Acts comprising the Commonwealth counter-terrorism legislative package commenced. These were:

• the Security Legislation Amendment (Terrorism) Act 2002 which created a new range of terrorist and terrorist organisation offences.
• the Suppression of the Financing of Terrorism Act 2002 which aims to prevent the movement of funds for terrorist purposes and to enhance the exchange of information about financial transaction reports within foreign countries.
• the Criminal Code Amendment (Suppression of Terrorist Bombings Act) 2002 which creates offences relating to terrorist activities using explosive and lethal devices and gives effect to International Convention for the Suppression of Terrorist Bombings to which Australia is a signatory.
• the Telecommunications Interception Legislation Amendment Act 2002 which allows for the use of telecommunication interception by law enforcement agencies investigating a range of criminal activities, including terrorism.
• the Border Security Legislation Amendment Act 2002 which enhances the security of Australia’s borders.

The final piece of legislation, the Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Act 2003 commenced in July 2003. This Act empowers the Australian Security Intelligence Organisation (ASIO) to obtain a warrant to detain and question persons who may have information important to the gathering of intelligence in relation to terrorist activity.

The aim of the Act is to ensure Australia is in the best possible position to prevent and deter terrorist activity wherever possible by enhancing ASIO’s intelligence capabilities, whilst balancing the need to protect fundamental human rights.

Community Legal Centres: Funding
(Question No. 2436)

Mr McClelland asked the Attorney-General, upon notice, on 18 September 2003:
(1) Which community legal services received funding in the 2002-2003 financial year.
(2) In respect of each community service that received funding, (a) how much funding did it receive, and (b) under which program.

Mr Ruddock—The answer to the honourable member’s question is as follows:
In the 2002-2003 financial year the Commonwealth funded 125 community legal centres across Australia to provide a range of legal and related services under the Commonwealth Community Legal Services Program.

The community legal centres that received funding and the amount of that funding is shown on the attached table.

Community Legal Services Program 2002-2003 Funding allocation

<table>
<thead>
<tr>
<th>Community Legal Centre</th>
<th>Funding ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blue Mountains CLC</td>
<td>85,603</td>
</tr>
<tr>
<td>Central Coast CLC</td>
<td>167,007</td>
</tr>
<tr>
<td>CLS for Western NSW</td>
<td>236,174</td>
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<tr>
<td>Consumer Credit Service</td>
<td>117,888</td>
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<td>Court Support Scheme</td>
<td>28,103</td>
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<tr>
<td>Environmental Defenders Office</td>
<td>79,932</td>
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<tr>
<td>Far West CLS</td>
<td>212,015</td>
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<tr>
<td>Hawkesbury Nepean CLC</td>
<td>118,016</td>
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<tr>
<td>HIV/AIDS Legal Centre</td>
<td>57,641</td>
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<tr>
<td>Hunter District CLC</td>
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<tr>
<td>Illawarra Legal Centre Inc.</td>
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<tr>
<td>Immigration Advice &amp; Rights Group</td>
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<td>Inner City Legal Centre</td>
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<tr>
<td>Kingsford Legal Centre</td>
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<tr>
<td>Macarthur Legal Centre</td>
<td>187,388</td>
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<tr>
<td>Macquarie Legal Centre</td>
<td>132,141</td>
</tr>
<tr>
<td>Marrickville Legal Centre</td>
<td>130,647</td>
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<tr>
<td>Mt Druitt and Area CLC</td>
<td>166,787</td>
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<tr>
<td>North and North West CLC</td>
<td>167,694</td>
</tr>
<tr>
<td>Northern Rivers CLC</td>
<td>233,118</td>
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<tr>
<td>NSW Disability Discrimination Legal Centre</td>
<td>171,022</td>
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<tr>
<td>Public Interest Advocacy Centre</td>
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<tr>
<td>Redfern Legal Centre</td>
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<td>Shoalcoast CLC</td>
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<td>South West Sydney Legal Centre Inc.</td>
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<td>Tenants Union of N.S.W.</td>
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<tr>
<td>The Aged Care Rights Service</td>
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<td>Welfare Rights Centre</td>
<td>193,461</td>
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<tr>
<td>Women’s Legal Resource Centre</td>
<td>722,870</td>
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<tr>
<td>NEW SOUTH WALES TOTAL</td>
<td>4,745,346</td>
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</tbody>
</table>

<p>| VICTORIA                                      | $           |
| Albury-Wodonga CLS                            | 213,127     |
| Brimbank CLC                                  | 61,272      |
| Broadmeadows CLS                              | 128,993     |
| Casey Cardinia CLS                            | 97,648      |</p>
<table>
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<tbody>
<tr>
<td>VICTORIA</td>
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<tr>
<td>Central Highlands CLS</td>
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<td>Coburg - Brunswick CLC</td>
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<td>Community Connections (VIC)</td>
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<td>Consumer Credit Legal Service</td>
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<td>Darebin CLS</td>
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<td>Disability Discrimination Law Advocacy Service</td>
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<td>Eastern CLC</td>
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<td>Footscray CLC</td>
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<td>Geelong CLS</td>
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<td>Gippsland CLS</td>
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<td>Monash - Oakleigh Legal Service</td>
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<td>Peninsula CLS</td>
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<td>Springvale Community Aid and Advice Bureau</td>
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<td>Springvale Monash Legal Service</td>
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<td>St.Kilda Legal Service</td>
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<td>Welfare Rights Unit</td>
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<td>Werribee Legal Service</td>
<td>90,702</td>
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<td>West Heidelberg CLS</td>
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<td>Western Suburbs Legal Service</td>
<td>75,296</td>
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<td>Women’s Legal Service Victoria</td>
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<td>VICTORIA TOTAL</td>
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<table>
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<th>QUEENSLAND</th>
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<tr>
<td>Brisbane Welfare Rights Centre</td>
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<td>Cairns CLS</td>
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<td>Caxton Legal Centre</td>
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<td>Central Queensland CLC</td>
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<td>Highway Legal Service-Gold Coast Citizens Advice Bureau</td>
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<td>Logan Youth Legal Service</td>
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<td>North Queensland Environmental Defender’s Office</td>
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<td>North Queensland Women’s Legal Service</td>
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<td>Prisoners Legal Service</td>
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<td>Organization</td>
<td>Amount</td>
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<td>---------------------------------------------------</td>
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<td>Roma Legal Service</td>
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<td>South Brisbane Immigration &amp; CLS</td>
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<td>Townsville CLS</td>
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<td>Western Queensland Justice Network</td>
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<td>Women’s Legal Service</td>
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<td>Youth Advocacy Centre</td>
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<td><strong>QUEENSLAND TOTAL</strong></td>
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<td>Central CLC (formerly Adelaide Central Mission)</td>
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<td>Northern Community Legal Service</td>
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<td>Westside Community Lawyers Inc</td>
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<td>Spencer Gulf CLC</td>
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<td>Riverland CLS Association</td>
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<td>South East CLS Association</td>
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<td>Women’s Legal Service SA</td>
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<td><strong>SOUTH AUSTRALIA TOTAL</strong></td>
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<tr>
<td>Albany CLS</td>
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<td>Bunbury CLC</td>
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<td>Welfare Rights &amp; Advocacy Service</td>
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**QUESTIONS ON NOTICE**
Mr McClelland asked the Attorney-General, upon notice, on 18 September 2003:

(1) What concerns has the European Union raised with the Government about the Privacy Amendment (Private Sector) Act 2000.

(2) When and where did the European Union communicate these concerns to the Government.

(3) What steps has he taken since the passage of that Act to consider these concerns and what action has he taken in response to these concerns.
Mr Ruddock—The answer to the honourable member’s question is as follows:

(1) to (3) On 26 January 2001, the Article 29 Working Party established under the 1995 European Union (EU) Directive on the protection of individuals with regard to the processing of personal data and on the free movement of such data (the Directive) adopted its Opinion 3/2001 on the level of protection provided by the Privacy Amendment (Private Sector) Act 2000 (the private sector provisions).

In the Opinion, the Article 29 Working Party viewed a number of matters as issues of concern, including lack of correction rights for EU citizens and onward transfers from Australia to other third countries. The full text of the Opinion can be found at http://europa.eu.int/comm/internal_market/privacy/index_en.htm.

Since the Opinion was released, both the former Attorney-General and officials of my Department have been engaged in continuing discussions with senior officials of the European Commission to correct misconceptions about Australia’s legal system and the private sector provisions and to clarify the Working Party’s specific concerns.

The Government considers that several of the concerns expressed in the Opinion are not strongly founded or merely reflect that different jurisdictions will adopt different approaches to meet their different circumstances. The Government is of the view that it is the responsibility of the Australian Government to determine the most appropriate privacy regime for Australia. However, the Opinion did usefully identify some technical matters which could be improved in the Privacy Act 1988. Amendments to give effect to these improvements will shortly be placed before Parliament.

Transport: Vehicle Fuel Consumption
(Question No. 2512)

Mr Murphy asked the Minister for Industry, Tourism and Resources, upon notice, on 7 October 2003:

Further to the answer to question No. 2067 (Hansard, 11 August 2003, page 18087) will he commission studies to assess the effect of the labelling scheme on vehicle choice and therefore on fuel consumption in Australia; if not, why not.

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

As explained in my previous answer, a new fuel consumption label is currently being phased in, and this process will not be complete until 1 January 2004. It is therefore premature to study the impact of this new label. However the Australian Greenhouse Office is currently examining options for establishing a baseline against which the impact of the new label can be assessed over time.

Transport and Regional Services: Port Security Plans
(Question No. 2519)

Ms O’Byrne asked the Minister for Transport and Regional Services, upon notice, on 7 October 2003:

(1) Does the Department of Transport and Regional Services require Port Security Plans to be in place by mid-2004.

(2) Did the 2003-2004 budget allocate any money for the development of Port Security Plans; if so, how much; if not, why not.

(3) What impact, if any, will the 2003-2004 budget have on port security in (a) Launceston (Bell Bay), (b) Hobart, (c) Devonport, and (d) Burnie.

Mr Anderson—The answer to the honourable member’s question is as follows:
(1) Yes.
(2) No, the cost of development of a port security plan is a cost of doing business and is properly the responsibility of the port.
(3) The 2003-2004 Budget will enable my Department to develop and implement a nationally consistent maritime preventive security regulatory framework. This framework will assist Australian ports, including the ports of Launceston (Bell Bay), Hobart, Devonport and Burnie, to deter unlawful interference against maritime transport.

**Defence: Property**

(Question No. 2557)

Mr Kelvin Thomson asked the Minister for Finance and Administration, upon notice, on 8 October 2003:

(1) When and in what manner does the Government intend to dispose of Department of Defence land at Malabar Headland.
(2) Can the Minister confirm that the area of land is approximately 177 hectares.
(3) Is the property encumbered by explosive ordnance in whole or in part.
(4) Is the property subject to any special zoning restrictions.

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

(1) The land at Malabar Headland is not administered by the Department of Defence, but by the Department of Finance and Administration. Divestment of the property is planned for future years. No decision has been made on the method of disposal or the specific timing of disposal.
(2) The land is 177 hectares in area.
(3) The property may be encumbered in part by explosives ordnance due to its 100 year history as a rifle range and fortification, but to date there has been no evidence of unexploded ordnance on the property.
(4) The property is not subject to any special zoning restrictions.

**United Nations: Multilateral Treaties**

(Question No. 2560)

Mr Kerr asked the Minister for Foreign Affairs, upon notice, on 8 October 2003:

Will the Minister identify each of the multilateral treaties that were deposited with the Secretary-General of the United Nations in the last ten years and that are open for signature that Australia is (a) not signatory to, (b) has not ratified, and (c) has not given effect to through domestic legislation.

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

I refer the honourable member to my answer to question number 2185 which was tabled on 8 October 2003.