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SITTING DAYS—2006

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- **GOLD COAST** 95.7 FM
- **MELBOURNE** 1026 AM
- **ADELAIDE** 972 AM
- **PERTH** 585 AM
- **HOBART** 747 AM
- **NORTHERN TASMANIA** 92.5 FM
- **DARWIN** 102.5 FM
FORTY-FIRST PARLIAMENT
FIRST SESSION—FIFTH PERIOD

Governor-General
His Excellency Major-General Michael Jeffery, Companion in the Order of Australia, Commander of the Royal Victorian Order, Military Cross

House of Representatives Officeholders
Speaker—The Hon. David Peter Maxwell Hawker MP
Deputy Speaker—The Hon. Ian Raymond Causley MP
Second Deputy Speaker—Mr Henry Alfred Jenkins MP

Members of the Speaker’s Panel—The Hon. Dick Godfrey Harry Adams, Mr Phillip Anthony Barresi, the Hon. Bronwyn Kathleen Bishop, Mr Michael John Hatton, Mr Peter John Lindsay, Mr Robert Francis McMullan, Mr Harry Vernon Quick, the Hon. Bruce Craig Scott, the Hon. Alexander Michael Somlyay, Mr Kim William Wilkie

Leader of the House—The Hon. Anthony John Abbott MP
Deputy Leader of the House—The Hon. Peter John McGauran MP
Manager of Opposition Business—Ms Julia Eileen Gillard MP
Deputy Manager of Opposition Business—Mr Anthony Norman Albanese MP

Party Leaders and Whips
Liberal Party of Australia
Leader—The Hon. John Winston Howard MP
Deputy Leader—The Hon. Peter Howard Costello MP
Chief Government Whip—Mr Kerry Joseph Bartlett MP
Government Whips—Mrs Joanna Gash MP and Mr Fergus Stewart McArthur MP

The Nationals
Leader—The Hon. Mark Anthony James Vaile MP
Deputy Leader—The Hon. Warren Errol Truss MP
Chief Whip—Mr John Alexander Forrest MP
Whip—Mr Paul Christopher Neville MP

Australian Labor Party
Leader—The Hon. Kim Christian Beazley MP
Deputy Leader—Ms Jennifer Louise Macklin MP
Chief Opposition Whip—The Hon. Leo Roger Spurway Price MP
Opposition Whips—Mr Michael David Danby MP and Ms Jill Griffiths Hall MP

Printed by authority of the House of Representatives
## Members of the House of Representatives

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**PARTY ABBREVIATIONS**

ALP—Australian Labor Party; LP—Liberal Party of Australia; Nats—The Nationals; Ind—Independent; CLP—Country Liberal Party; AG—Australian Greens

**Heads of Parliamentary Departments**

Clerk of the Senate—H Evans
Clerk of the House of Representatives—I C Harris
Secretary, Department of Parliamentary Services—H R Penfold QC
HOWARD MINISTRY

Prime Minister
Minister for Trade and Deputy Prime Minister
Treasurer
Minister for Transport and Regional Services
Minister for Defence
Minister for Foreign Affairs
Minister for Health and Ageing and Leader of the House
Attorney-General
Minister for Finance and Administration, Leader of the Government in the Senate and Vice-President of the Executive Council
Minister for Agriculture, Fisheries and Forestry and Deputy Leader of the House
Minister for Immigration and Multicultural Affairs
Minister for Education, Science and Training and Minister Assisting the Prime Minister for Women’s Issues
Minister for Family, Community Services and Indigenous Affairs
Minister Assisting the Prime Minister for Indigenous Affairs
Minister for Industry, Tourism and Resources
Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service
Minister for Communications, Information Technology and the Arts and Deputy Leader of the Government in the Senate
Minister for the Environment and Heritage

The Hon. John Winston Howard MP
The Hon. Mark Anthony James Vaile MP
The Hon. Peter Howard Costello MP
The Hon. Warren Errol Truss MP
The Hon. Dr Brendan John Nelson MP
The Hon. Alexander John Gosse Downer MP
The Hon. Anthony John Abbott MP
The Hon. Philip Maxwell Ruddock MP
Senator the Hon. Nicholas Hugh Minchin
The Hon. Peter John McGauran MP
Sensor the Hon. Amanda Eloise Vanstone
The Hon. Julie Isabel Bishop MP
The Hon. Malcolm Thomas Brough MP

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<td>Shadow Minister for Child Care, Shadow Minister for Women</td>
<td>Tanya Joan Plibersek MP</td>
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The SPEAKER (Hon. David Hawker) took the chair at 12.30 pm and read prayers.

COMMITTEES
Corporations and Financial Services Committee
Report

Ms BURKE (Chisholm) (12.31 pm)—On behalf of the Parliamentary Joint Committee on Corporations and Financial Services, I present the committee’s report entitled Statutory oversight of the Australian Securities and Investments Commission, together with the evidence received by the committee.

Ordered that the report be made a parliamentary paper.

Ms BURKE—One of the little-known processes of this parliament is the role of committees. Most of this work goes unnoticed, but it is a fundamental in the life of the parliamentary process because it is the only time we as parliamentarians rise above the baseness of party politics to come together and work for the good of the country. It is a sad pity, then, that the government ignores most committee reports and does not even bother to respond. Currently the government has failed to respond to 54 reports, one dating back to 1999.

I table today a unanimous report from the Joint Committee on Corporations and Financial Services into one of the committee’s primary roles, the oversight of the Australian Securities and Investments Commission. The world of joint committees and the Senate has been an interesting concept to deal with, and I wish to thank our departing secretary, Dr Anthony Marinac, for helping me through this steep learning curve and for his role in these hearings and this report. I wish to thank all the secretariat members for their work and all committee members for the way they worked in a constructive manner. Again I say we are presenting a unanimous report.

Having previously been on the House of Representatives Standing Committee on Economics, Finance and Public Administration, where the Governor of the Reserve Bank came willingly twice a year to report in his frank and open manner, I was a little taken aback with the guarded way the members of ASIC approached the oversight hearing. I would have thought it would be a prime opportunity to have an open exchange that could lead to constructive outcomes. But it does appear that the shutters were up on many occasions. Not that there was a failure by ASIC to respond to the committee’s questions, but at times they just appeared to be reluctant to be full and frank. Then I remembered that Mr Lucy and his associates are subject to Senate estimates, and I understood perhaps why they were a little wary of parliamentary questions.

The committee held two oversight hearings, as there were many issues to deal with and some topical ASIC prosecutions on foot at the time. The issue of the Vizard case was obviously gone into at length because there was much media speculation on the issue. The failure to bring criminal charges against Mr Vizard was explored at length, and a separate in camera discussion with the DPP was held to ascertain why no criminal actions were brought against Mr Vizard. At paragraph 2.18 of the report Mr Lucy is quoted as stating:

The main issue with Mr Lay was not so much about being prepared to cooperate with us and provide the necessary information we needed but rather that he was not prepared to sign a witness statement because of concerns about his own position. He indicated that for the first time when it came to the crunch in November 2004. I think it was really a period of six months, from November 2004 through to May, when we had a number of discussions with Mr Lay, his advisers and the
DPP about satisfying him in relation to his own position.

Section 19 of the act would have allowed ASIC to compel Mr Lay to be subject to cross-examination under oath, just as he would have been in court. So the committee went into great detail as to why ASIC had failed to use section 19, which they had at their discretion. The argument put by both the DPP and ASIC on the failure to prosecute criminal charges against Mr Vizard is still, at best, vague and does seem to imply that more work between these agencies needs to be undertaken, particularly in light of Judge Finkelstein’s very pointed sentencing remarks. Again I quote from the report. His Honour stated:

... it is my view that a disqualification for five years is not sufficient ... a message must be sent to the business community that for white collar crime “the game is not worth the candle” ... In my view the appropriate period of disqualification is ten years. But for the factors requiring a “discount”, a much longer period would have been in order.

So it seems that more needs to be done to send the signal that white-collar crime should get more than a fine and a slap on the wrist. Insider trading is a very serious issue, and it is affecting us all. It is our super funds that are investing in these share schemes. It is individuals who are doing it, and they are being manipulated. The report makes many recommendations in respect of section 19 and the MOU between ASIC and the DPP, and I trust that the minister will pick them up.

In the time available, I also want to go at length into super choice. Recently an ASIC official got into some trouble for saying, ‘I just don’t trust them,’ of financial planners. Who do we go to? Who can we trust for advice in this day and age if ASIC is telling us not to trust financial advisers? A recent report by ASIC called *Superannuation switch-surveillance* found that there is a great deal of concern about the advice being given to individuals to switch from one fund to another. Indeed, most of it does not even go to the fund you are going from. So they provide no investigation of where you are going from or to, or what costs are going to be involved. Nor do they disclose that they are getting licence fees from the fund they are offering you. Much more needs to be done in respect of financial literacy. Individuals need to be given appropriate advice. (Time expired)

**Communications, Information Technology and the Arts Committee Report**

Miss Jackie Kelly (Lindsay) (12.36 pm)—On behalf of the Standing Committee on Communications, Information Technology and the Arts, I present the committee’s report entitled *Digital television: who’s buying it?*, together with the minutes of proceedings and evidence received by the committee.

Ordered that the report be made a parliamentary paper.

Miss Jackie Kelly—On behalf of the Standing Committee on Communications, Information Technology and the Arts, I am pleased to present this report on the uptake of digital television in Australia. In presenting the report, I must say that its tabling occurs at a time of discussion on changes in the broadcasting industry, particularly concerning the uptake of digital television. The committee trusts that its report will provide significant discussion and direction for the Australian government’s policies.

This report has examined the options for ensuring the smooth transition to digital television in Australia, taking into account the cost of continued simulcast and, in particular, the impost this places on regional broadcasters. The report has considered the financial...
burden that conversion to digital may place on the community, from the purchase of set-top boxes and ancillary equipment, such as updating antennae, to how to minimise the cost over an appropriate time frame. The report has also considered the needs and responsibilities of manufacturers and retailers in providing appropriate lead times and adequate product information.

To date, few Australians have bought into digital television technology. A low market base has limited the features and programming that are offered on digital television stations, which in turn has reduced its appeal for many viewers. A lack of consumer awareness has compounded the problem. The committee believes that the lack of certainty regarding analog switch-off is a key failure in the drive to take up digital television and recommends a nationwide analog switch-off on 1 January 2010.

Such a strategy will provide certainty for consumers, broadcasters, manufacturers and retailers. With switch-off certainty, manufacturers and retailers can begin awareness campaigns and will be able to plan production of digital reception equipment. Providing a certain analog switch-off date will ensure that the most competitive prices for digital equipment are offered to all consumers, regional as well as metropolitan. While the committee’s recommended switch-off date extends the scheduled switch-off date in some metropolitan areas by up to two years, it does not pose extended financial burdens on regional broadcasters to continue simulcasting for a prolonged period.

A key driver for the uptake of digital television is the availability of additional content to consumers. The committee believes that broadcasters should have the opportunity to make commercial decisions and offer a wider range of digital television services. These options have been tightly regulated until now. In line with the move to digital, the report makes a number of recommendations to lift restrictions on multichannelling. Ultimately, programming and broadcasting choices will be determined by market demand. The committee recommends that programming restrictions on multichannelling for national free-to-air broadcasters be lifted as soon as possible. A substantial investment has been made by the ABC and SBS to establish digital channels, yet programming restrictions severely hamper their viability. The restrictions also prevent utilisation of much of the archived ABC and SBS material.

The committee also recommends that commercial free-to-air networks be permitted to multichannel, if they choose to do so, from 1 January 2008. We believe that lifting multichannelling restrictions, and the subsequent provision of extra channels and services, will assist in driving the take-up of digital television, prior to our recommended 2010 analog switch-off.

The report makes several other key recommendations. The committee is of the opinion that high-definition broadcasting will drive digital television take-up amongst certain sectors of the population; therefore, the committee recommends that the current minimum high-definition broadcasting quota for free-to-air networks remain in place until 1 January 2011. Continued quota levels should be reviewed before that date. Maintaining high-definition quotas for the time being will ensure that Australian consumers have access to both standard-definition and high-definition broadcasting and that that choice exists in the marketplace as they make their consumer choices in the lead-up to analog switch-off.

The committee has also recommended that a testing and conformance centre for digital television equipment be established,
with the Australian government to provide $1 million in seed funding in the first year. The committee urges the Department of Communications, Information Technology and the Arts to continue to work with industry and stakeholders to develop an appropriate model and set of objectives on how a new testing and conformance centre will be based. The committee is aware that there is a great deal of confusion amongst consumers concerning digital television equipment. The committee noted that energy rating and water rating label schemes are very useful guides for consumers in assessing and analysing products in the market. (Time expired)

Ms OWENS (Parramatta) (12.41 pm)—I am pleased to speak in support of the report entitled Digital television: who’s buying it?, a very timely inquiry into the uptake of digital television in Australia. It is some five years now into the planned eight-year changeover from analog to digital television legislated by the Howard government back in 1998, and only around 10 per cent of households have converted to digital at this time. Given that many households with a digital television in the lounge room have an old analog one out the back, that 10 per cent of households accounts for around only five per cent of televisions in Australia—and with less than three years to go to the planned analog switch-off.

Television around the world is undergoing a revolution but seemingly without the knowledge of many Australian television consumers or, in some cases, with their complete indifference. The overwhelming input from consumer advocates was, ‘So what? Let the market decide,’ and there is some merit in that. Many of the recommendations would see consumers given greater power to determine the direction of Australian television through the lifting of restrictions. But television is not a free market; it is highly regulated and limited by scarcity of spectrum. It fills an essential cultural function and there is a role for government in ensuring a structure that encourages diversity and supports the development of the Australian creative sector.

For the future of our cultural industries and consumer choice, we must go digital and we must do so with the rest of the world. Seventy per cent of US prime time TV is now in high-definition TV and the world is moving there. In order to have a competitive film and television production industry in Australia, we must keep up with the digital capture, production and transmission trends exhibited by the rest of the world. Digital allows for much better pictures but, more importantly, requires less spectrum to broadcast and so potentially offers opportunities for many more channels and additional features, such as interactivity and datacasting. With good policy making, it allows government and industry to improve the range of services to consumers, to increase diversity and choice and to build an industry conducive to growth of Australian content, with all the benefits of export. Labor members working on this committee kept those basic principles of diversity and development of the Australian creative sector firmly in mind.

The current lack of movement in the roll-out demonstrates a lack of preparation on the part of the government for the changeover and the necessity for significant adjustment, if take-up is to approach levels anywhere near required for analog shutdown. One of the problems identified over and over was a lack of additional content. In spite of all the promises that digital will provide greater choice and range, to date there is little evidence of any improvement for consumers in anything other than picture quality. There is very little additional content, although arguably that was as much about the government imposed restrictions on the industry as about consumer or industry choice.
The committee clearly came to the view that closing down the options of the industry as we moved to digital was no longer working and that we must remove those unnecessary constrictions on business. The committee has been sitting at a time when the minister has yet to make her policy position clear. This report provides a bipartisan signpost as to where she might go.

Read as a whole, the recommendations advocate a significant freeing up of restrictions. They cover three main areas. The first area concerns driving the switch-off by extending the switch-off date for analog from the end of 2008 to 1 January 2010. This also provides support to regional broadcasters who are having particular difficulties in their small markets in maintaining the simulcasts. Given that their switch-off times were later than 2008, this recommendation does not impose an additional burden. That recommendation and the one that follows, suggesting an independent inquiry into spectrum allocation following the return of the analog spectrum, send a clear message to free-to-air broadcasters that the additional spectrum they currently control during the transition period will be returned, and we understand the commercial imperative for them to retain control of that spectrum.

The bulk of recommendations 3 to 8 are concerned with content and will significantly free up broadcasters to pursue their own business models. They will also provide for consumers, through their choices, to have a stronger say about the direction that Australian television takes. We recommend the removal of program restrictions on multichannelling for ABC and SBS as soon as possible. Our national broadcasters have been given the right to broadcast a single digital channel but not allowed to broadcast news, current affairs or sports on their digital channel. We on this side of the House, in particular, believe strongly that the ABC and SBS have significant roles to play in expanding the range of digital content, both imported and home grown. It is a role they are unable to fill on current funding levels, but removing the genre restrictions will improve things a little, and we were delighted to see unanimous agreement on that recommendation. We also recommend the removal of multichannelling restriction on free-to-airs but retain a prohibition on subscription multichannelling. We know in advance that this report will not satisfy all stakeholders. (Time expired)

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

Miss JACKIE KELLY (Lindsay) (12.46 pm)—I move:

That the House take note of the report.

The SPEAKER—In accordance with sessional order 39, the debate is adjourned. The resumption of the debate will be made an order of the day for a later hour this day. Does the member for Lindsay wish to move a motion to refer the matter to the Main Committee?

Miss JACKIE KELLY (Lindsay) (12.47 pm)—I do, given the shortness of time for both the member for Parramatta and me to discuss this. I am delighted that House procedures have changed so that I can move the following motion. I move:

That the order of the day be referred to the Main Committee for debate.

Question agreed to.

PRIVATE MEMBERS’ BUSINESS

Australian Defence Force: Rwandan Service

Mr GRIFFIN (Bruce) (12.47 pm)—I move:
That this House:

(1) recognises that the atrocities that occurred in Rwanda between 1994 and 1995 were some of the most horrific and appalling crimes seen in recent history;

(2) notes that between April and July 1994 up to one million Tutsi and moderate Hutus were killed at the hands of the militia;

(3) notes that in response, Australia deployed 657 ADF members to Rwanda in 1994 and 1995 as part of the United Nations Assistance Mission in Rwanda (UNAMIR);

(4) notes that the Australian contingent was largely a medical team whose key role was to provide medical care and health support for UNAMIR and, where possible, those injured by the massacres;

(5) acknowledges that Australian troops came under direct fire in and around refugee camps and faced the daily threat presented by landmines and other explosive devices placed to maim or kill Australian soldiers;

(6) acknowledges that these peacekeepers experienced the most horrible events such as the massacre of up to 8,000 men, women and children at the Kibeho refugee camp in April 1995;

(7) notes with concern that many of these troops are now suffering serious mental and physical disabilities as the result of their service;

(8) notes that despite the severe trauma and the danger faced by Australian Peacekeepers in Rwanda, their service is still not treated as warlike service under the Veterans’ Entitlement Act; and

(9) calls on the Government to immediately reclassify this service from ‘hazardous’ to ‘warlike’ in recognition of the risk faced by these troops and the magnificent contribution they made to the protection of Rwandan citizens.

As you know, Australian peacekeepers have a long and distinguished history. Australian peacekeepers have been in the field with the United Nations continuously for over 50 years. But this important service to the international community has come at considerable cost to both veterans and their families. The experience of our soldiers in Rwanda brings into sharp focus just how tough and dangerous this service can be. The atrocities that occurred in Rwanda were some of the most horrific and appalling crimes seen in recent history. ‘Genocide’ is the only word that can be used with respect to the infamous 100 days of killing in Rwanda. During this short period it is estimated that one million men, women and children were killed by government led militias. It ranks as one of the most horrific, evil and reprehensible crimes of our generation.

In response, Australia deployed 657 ADF members to Rwanda as part of the United Nations assistance mission. The Australian contingent was largely a medical team whose key role was to provide medical care and health support for the mission and, where possible, those injured by the massacres. These peacekeepers were clearly at risk and experienced the most horrible circumstances. The hospital in Kigali was established under the most trying of circumstances, with troops exposed to the massive scale of violence and postwar carnage that had occurred. Troops were directly confronted with the massacre of up to 8,000 men, women and children at the Kibeho refugee camp in April 1995.

What is not widely known is that Australian soldiers participated in armed operations to clear refugee camps of armed militia, which saw them come under fire on a number of occasions. Our troops also faced the daily threat presented by landmines and other explosive devices placed in schools and other public places to maim or kill Australian soldiers. Many of these troops are now suffering serious mental and physical disabilities as a result of their service. In fact, this contingent suffered psychological casualties on a similar scale to Vietnam and other warlike operations. Anecdotal evidence suggests that at least 10 per cent of both contin-
gents are totally and permanently disabled psychologically, and the majority of troops deployed to Rwanda still suffer psychological scars.

Despite the severe trauma and the danger faced by Australian peacekeepers in Rwanda, their service is still not treated as warlike service under the Veterans’ Entitlements Act. It is currently regarded as the equivalent of operational service, not carrying any benefits above normal peacetime service.

It was originally Labor’s policy to classify Rwanda as non-warlike. This decision was made at a time when the full scope of the horrors and atrocities was not known or properly understood. More than 10 years later, we now know what our troops faced during this mission. We know of the gut-wrenching acts of barbarity they were forced to witness, and we know of the devastating effects their service has had on those present and on their families back home.

It is no longer good enough for governments of either persuasion to say we cannot change the decisions of previous ministers and that it is too late to correct a grievous wrong. Labor believes that the peacekeeping service in Rwanda should be reclassified from non-warlike to warlike. Labor realises that it is never too late to fix failed policy, especially one that affects our service personnel in such a harmful and detrimental manner. While I welcome recent reports that the new minister is looking at the government’s position on Rwanda, I call on the government to take Labor’s lead and give our service personnel who served in Rwanda the recognition and support they need and deserve. Australia has asked a lot of our troops and they have always responded without complaint. They are true professionals and we must act in this case. (Time expired)
The information did get back. It was known just what kind of severe trauma faced those troops in that difficult circumstance. The knowledge that that trauma was going to lead them towards post-traumatic stress disorder and those kind of illnesses was obvious from the outset.

This government did recognise that there was a need to review conditions of service in examples such as this and began a nature of service review in 2002 looking at all these issues. The outcome of that process in relation to the Rwanda issue is now known. An announcement has been made today that the service in Rwanda of those more than 630 ADF personnel who contributed to Operation Tamar has been upgraded to warlike service. That was announced this morning by the Hon. Bruce Billson, the Minister for Veterans’ Affairs and the Minister Assisting the Minister for Defence. I congratulate the minister on that because there are many of us on the coalition backbench committee who have argued this issue for many years. It is important that it be recognised that these troops did undergo very trying, warlike service in every respect and that their service on that occasion was exemplary. They can be held out across the world for their achievements at a time when the world community was failing the civilians of Rwanda.

Warlike service is something that Australians have shown over the years they can contribute to very effectively under all those difficult circumstances. Now, however, Rwanda veterans will receive the gold card, the service pension at age 60 and all the other benefits that apply under warlike service. It is an honour to be here on the day when that occurs and to acknowledge the importance of giving recognition to troops who contributed so much in such difficult circumstances. (Time expired)
I was looking at a story by a fellow named Paul Jordan who was at camp Kibeho during the massacre. He says:

As we worked, we were often called upon to make snap decisions and to ‘play God’ by deciding which patients’ lives to save. We were forced to move many seriously injured victims to one side because we thought they would not live or because they would simply take too long to save. They are dreadful decisions for soldiers who are trained as medics to have to make. He went on:

Our medical work continued unabated in the Zambian compound as the casualties flowed relentlessly. At about 10.00 a.m., some of the displaced persons attempted to break out and we saw them running through the re-entrants. We watched (and could do little more) as these people were hunted down and shot. The RPA soldiers were no marksmen: at times they were within ten metres of their quarry and still missed them. If they managed to wound some hapless escapee, they would save their valuable bullets, instead bayoneting their victim to death. This went on for two hours until all the displaced persons who had run were dead or dying.

These are the dreadful things that these soldiers have to live with and had to observe. They were incredibly frustrated that they could not protect those people and that they were unable, in so many circumstances, to save lives and to do the job that they thought they were there to do. No wonder so many of them are facing depression and the issues which go hand-in-hand with post-traumatic stress disorder in their civilian lives. I support the motion and congratulate Alan Griffin.

Mr SLIPPER (Fisher) (1.03 pm)—At the outset, I would like to congratulate the honourable member for Bruce on bringing to our attention, very clearly, the grave situation which had occurred in Rwanda. Often, it is ‘out of sight and out of mind’ and, as time goes on, we tend to forget some of the horrific acts that took place over such a long period.

Also, of course, as has been indicated by other contributors to the debate, some 657 ADF members were deployed to Rwanda in 1994 and 1995 as part of the United Nations assistance mission in that sad country. The motion moved by the honourable member for Bruce states:

That this House:

(8) notes that despite the severe trauma and the danger faced by Australian Peacekeepers in Rwanda, their service is still not treated as warlike service under the Veterans’ Entitlement Act; and

(9) calls on the Government to immediately reclassify this service from ‘hazardous’ to ‘warlike’ in recognition of the risk faced by these troops and the magnificent contribution they made to the protection of Rwandan citizens.

It is amazing that what happened in Rwanda was largely ignored by the international community at the time. I do not think that really says very much for the international community. Media reports were scarce—virtually non-existent—and therefore the seriousness of these civil atrocities took some time to gain wider acknowledgment.

Information has since spread and is often accompanied by considerable disbelief that the initial strife could occur virtually unnoticed by the world at large. The release of Hollywood films such as Hotel Rwanda in Australia last year has helped to enhance further general community awareness of this dark period in Rwanda’s history. The fact that, 11 years after the slaughter, we are here today discussing the topic in parliament is...
further acknowledgment that the senseless slaughter of an estimated one million people was totally and completely unacceptable.

As an international community, we must remain vigilant in preventing anything like this happening anywhere again. Historically, before the slaughter, tensions had been bubbling in Rwanda for some three decades. Rwanda was initially a colony of the Kingdom of Belgium but gained independence in 1962. Then, in 1959, the Hutu community launched a series of attacks on the Tutsis, and this resulted in the Hutus taking over power and eventually remaining in that position for some 45 years. Throughout these years, the Tutsis retaliated several times, with the struggle for power resulting in an almost constant state of uneasiness. It was an incredibly unenviable way to live, with some citizens living their entire lives in a constant state of discomfort and apprehension.

In April 1994, the tensions between these two people boiled over, coming to a head with the shooting down of the Hutu President’s plane. It was the final trigger for violence on an unprecedented scale, which resulted in widespread, fanatical, unfettered killings. The death toll of Tutsis is estimated to be about one million people, with countless women and children numbered among the victims.

An international contingent of peacekeeper soldiers had been on the ground in Rwanda, but the majority of officers were withdrawn when some of them were killed. By late April, with most of the international peacekeeping contingent gone, the Tutsis retaliated and the unencumbered killing escalated. Tutsi rebels renewed their military offensive and eventually overthrew the government and this, in turn, triggered a mass exodus of some two million Hutus into Zaire. It is estimated that over the following months about 50,000 of those refugees died from hunger, disease and lack of water.

There were 657 Australian Defence Force personnel among the international military contingent that was involved in supporting Rwanda and trying to restore stability. I would like to commend the Minister Assisting the Minister for Defence and the Minister for Veterans’ Affairs for his announcement today that the Australian Defence Force personnel who served in Rwanda from 1994 to 1996 will have their service recognised as ‘warlike’ following a review by the Department of Defence and a decision by the Australian government. This means that the additional benefits will flow through to those soldiers who risked so much to ensure that the situation in Rwanda was improved. This is a positive decision and I particularly want to commend the new minister.

Mr WILKIE (Swan) (1.08 pm)—I rise to support this motion to change the classification of peacekeeping service in Rwanda from 1994 to 1996 to ‘warlike’ from its current status as ‘hazardous’. I would also like to commend the member for Bruce, all other members of this House who have supported this motion and the government for taking action following its presentation.

It is also in the best interests of all those who served in Rwanda that support for this motion has come from both sides of the parliament. Over 600 Australian personnel served in Rwanda as part of the United Nations mission in Rwanda. Australia has participated in peacekeeping activities all over the world, and our troops are renowned for their humanitarian approach, their generosity and their courage.

The circumstances in which our troops served in Rwanda were often difficult and traumatic and were very certainly dangerous. The main function of the Australian troops sent to Rwanda was to protect the Australian
Medical Support Force, which was providing medical and surgical facilities to support the UN military forces and agencies.

Two separate contingents of 300 soldiers were sent. But they were not allowed, under the rules of engagement, to intervene in any tribal warfare or to stop the violence. Paul Jordan, who served with the Australian forces in Rwanda, has written an eye witness account for the UN on the experiences of the Australian forces at the Kibeho displaced persons camp in 1995.

The camp had been surrounded by two battalions of Tutsi troops from the Rwandan Patriotic Army, the RPA, which regarded it as a sanctuary for the Hutus who had massacred the Tutsis in 1994. Their aim was to empty the camp and, in so doing, the Hutus were vulnerable to revenge attacks by the RPA. I urge all members with an interest in this issue to read Mr Jordan’s account. I do not believe that anybody who reads it would continue to support the denial of ‘warlike’ status to our soldiers who served in Rwanda. Again, I am pleased that the government has changed that view.

Mr Jordan explains that over less than a week, in April 1995, Australian soldiers were sent to Kibeho to protect the medical staff who were providing medical assistance to refugees. RPA troops were in the camp and the refugees had been forced to congregate in a particular part of the camp. RPA troops would frequently fire into the air in an effort to control the crowds of frightened people. Tension was mounting between the RPA troops and the refugees and there were reports of killings in the camp.

As the days passed, the Australians in the camp would offer what help they could, but it was clear that refugees were being summarily shot and that the RPA troops were intent on killing as many as they could. Over one weekend alone, our troops estimated that over 4,000 people had been massacred at the camp. I have met personally with some of the Australians who served in the camp at this time and I cannot do justice to their accounts in the short time I have to speak on this motion. But I would like to mention some of the instances that they have recounted.

For example, three men were on a patrol outside the camp, trying to find where people may have been attacked. They came across a couple of huts. They were going through the grass and a small boy came out and said to them, ‘If you don’t move quickly, you’re about to be shot.’ At that point they dived for cover and the wall of one of the huts erupted in a hail of machinegun fire from a 50-calibre Russian machinegun that was concealed. Fortunately, our people were not hit, but they were stuck there for seven to eight hours, whilst they had to wait for darkness in the mud to try to get out. Bullets from a 50-calibre machinegun, as you know Mr Deputy Speaker, are large—they are not small calibre weapons. They were hitting our troops in their equipment. One of our guys had his backpack ripped off his back by this machinegun fire. So they were clearly under enormous pressure.

The soldiers also witnessed awesome atrocities at the camp, with mothers throwing their children over the fence so they could be protected by the troops. Those outside were being slaughtered in front of these soldiers’ eyes, and there was nothing they could do to prevent this from happening because of the rules of engagement. I am sure that that would have caused enormous trauma and suffering for those people and for the soldiers, who knew that they could do nothing to prevent the senseless slaughter.

It was clear that our soldiers were operating in a warlike situation, in considerable danger and witnessing cruel and barbaric
acts. There are many examples of situations in which our soldiers were fired upon and in which they were in danger from hostile forces. It is hard for those of us who have not been to Rwanda to understand the danger our men and women faced or the horror that they endured. As a result, many Australian veterans of Rwanda have been found to be suffering from post traumatic stress disorder.

There are figures that indicate that 31 per cent of Vietnam veterans suffered from PTSD. Twenty per cent of those in Rwanda suffered the same sort of illness. These figures show the reason why we need to provide full recognition. I welcome the fact that people can get some medical assistance now as a result of that classification. It is clear to me that the government’s recognition of these veterans as having served in a war zone is long overdue. I commend the member for Bruce for bringing forward this motion, the government for finally acting and those who gave so much in the quest for peace. (Time expired)

Mr BRUCE SCOTT (Maranoa) (1.13 pm)—I rise to address private members’ business in relation to the reclassification of ADF service in Rwanda from non-warlike to warlike. I think it is important to put on the record, firstly, that whilst the troops in this initial operation were sent there under a previous administration, we did send 638 ADF personnel to Rwanda in Operation Tamar, a United Nations mission. Whilst it was today’s opposition who sent our troops there at the time, I am sure they sent them with the best of intentions, not thinking that a UN peace mission in Rwanda would witness the sorts of atrocities that we on this side and those on the other side saw—and which, I think, most people in Australia saw evidence of after the troops were sent to Rwanda.

What occurred in Rwanda was nothing short of genocide on a massive and unimaginable scale. It is very difficult in this place to even talk about the numbers without asking, ‘Why wasn’t the Western world, the United Nations, able to do more than they did at the time?’ I, like I am sure some other members in this parliament, have seen the film Hotel Rwanda, released last year. It gives an understanding of not only the failing of policy at the time but also the atrocities that occurred. We in this place could not adequately understand how such atrocities could occur anywhere in the world—but they did. Troops in Rwanda on a peacekeeping mission were unable to exercise any force. They felt absolutely helpless; they were unable to help people whose lives were cut short because of the unnecessary slaughter that was going on at the time.

It was in late 1994 that we dispatched a field hospital and a rifle company of infantry troops to Rwanda. I recall talking to former Senator John Herron, who was a doctor himself. He is obviously no longer in the parliament but now our Ambassador to Ireland and the Holy See. I remember talking to him about this some time after he returned. He went to Rwanda as a medical practitioner and spent some time there helping Rwandan people. His recall to me of some of the events just horrified me. He also said to me—and I am sure he would not mind me saying this; I am sure him talking about it has been documented somewhere—that when he came back there was to be counselling of all the people returning from Rwanda. He thought he would not need counselling. He went back into the Senate and was sitting one night in his parliamentary office when suddenly the horror of what he recalled seeing in Rwanda came back to him very visually and graphically. He said it was from that point on that he had a better understanding of the meaning of PTSD, post traumatic stress disorder. He was just a doctor there, but he saw some of the horror of the massacres and
the people who were suffering from the absolutely horrendous wounds that had been inflicted upon them.

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

National Year of Community

Mr BAIRD (Cook) (1.17 pm)—I move:

(1) recognises and supports the United Nations Association of Australia (NSW Division) for its resolution to declare 2006 the ‘National Year of Community’;

(2) acknowledges the importance of ‘community’ to the social fabric of Australian society; and

(3) notes the role of community in developing young Australians.

The United Nations Association of Australia (NSW) has declared 2006 the National Year of Community. The association has stated that this is an opportunity for people around the nation to celebrate their local, regional, state and national communities. The association aims to facilitate the building of stronger community links between Australians. I wish to congratulate the United Nations Association on this declaration and on working to improve the strength and cohesion of Australian society. ‘Community’ is defined as society as a whole, but it goes further than that. Community is a group of people with a common interest and a common identity, a group of people sharing and participating in fellowship for the common good.

The importance of community, of shared interest and fellowship, was recently reinforced to me in a very real and tangible sense. As the House would be aware my electorate was at the centre of the recent so-called race riots, which occurred just a hundred metres or so from my home in Cronulla. These riots were brought about by a feeling amongst some beach goers and local residents that people from outside of the shire, in particular young Lebanese Australians, were not participating in Australian beach culture and were in many cases there solely to cause problems. On the Thursday following the riot, I called together the leaders of the Australian Lebanese community and Sutherland Shire communities to meet and discuss the continuing problems. I was extremely pleased by the cooperative approach that each and every one of these participants took. The leaders of each community freely and easily admitted the problems that exist, and we all began to look toward solutions. Of course, the need to avoid further violence was the driving motivation and was something that dominated the first meeting. Since then, however, we have continued to meet as a group and continued to look at ways that we can break down conflict and misunderstanding between our two communities. It has been a great credit to all the leaders that participated that further incidents have not taken place.

As the leaders of both communities came together to address the ongoing unrest, we began to see that each side felt aggrieved by the actions of a small number of the other. Yesterday’s Sunday program report on Cronulla demonstrated this well. One young man of Lebanese background made the telling observation that if he, his cousin and his brother walk down the street, people view them as a gang rather than as some young Australians going about their business. Similarly, people from the shire and elsewhere have either had a bad experience with Middle Eastern youths or heard of people who have. The old saying ‘once bitten twice shy’ is a truism in this case. There is no doubt that there is an element of crime amongst Lebanese youth, which is no doubt born in part of the social ostracism and disproportionately
high unemployment rates. However, these acts of intimidation and harassment and et cetera have helped to label the entire Australian Lebanese community as people to be feared or avoided.

Since the Cronulla incident and subsequent retaliatory attacks by young Australian Lebanese, the leaders of the two conflicting communities have come together. We have done so to work in the full spirit of community, as a group of people with a common interest. We have come together with the best interests of our young people and our local communities to work towards a greater understanding and appreciation of each other and each other’s communities. Broadly, one great responsibility of our community is to ensure that appropriate social mores and a sense of community spirit are instilled into our younger generation. In 2004, there were 2.79 million people in Australia aged between 15 and 24. As has been shown recently by the Cronulla incidents, and by both sides, society has an important role to play in showing young Australians in a positive sense what it means to be Australian and what it means to be a sound citizen.

According to Australian government figures, 14 per cent of young people aged 15 to 19 are not engaged in either full-time study, full-time work or a combination of the two. For the 20 to 24 age group, this figure rises to 22.5 per cent. There is a greater role for community—that is, for parents, community leaders and community organisations—to play in this regard. These young people who are not fully engaged in society are considered at risk. They are at risk of not achieving their best and at risk of falling into a criminal cycle or one of welfare dependence. The community and, of course, parents are the groups who can effect change in attitudes of these young people. Through the community’s expectations, through the so-called social contract, these young people can be assisted to get back on track. *(Time expired)*

**The DEPUTY SPEAKER (Hon. IR Causley)—** Is the motion seconded?

**Mr MARTIN FERGUSON** (Batman) *(1.22 pm)—* I second the motion. I rise today to indicate my support for the resolution by the United Nations Association of Australia to declare 2006 the National Year of the Community. In that context, I think of last weekend. On Saturday I had the chance to spend the evening at the local Maronite dinner dance in Northcote in my electorate. Prior to that, in the afternoon, I enjoyed a celebration with the Buddhist community in Reservoir to mark the opening of the 2006 lunar new year. And yesterday afternoon we had the local Greek festival in Northcote. Next weekend, we will have the Darebin community festival, which has a highly successful multicultural local community getting involved to celebrate the Commonwealth Games and to celebrate our diversity and tolerance. I highlight these events because they share an important feature that is common to my local community, whether it is the Lebanese community, the Chinese, the Vietnamese, the Somali, the Iraqi or the community of the city of Darebin.

In its most simple terms, a community is about a group of people sharing something in common, whether it is where they live, their ethnicity, their interests or their values. In an increasingly frenetic society driven by individual goals and aspirations, it is easy to forget the importance of community and family. In fact, I would say that where it is not forgotten it is significantly undervalued.

This is underscored by a recent survey of Australia’s electorates on the basis of wellbeing, conducted by Deakin University. The survey, reported by the *Australian* today, found that the saddest electorate was in the richest and most expensive city in the coun-
try—Sydney—while the happiest electorate, Wide Bay in Queensland, was one of the poorest. In standards of living, health and connection to community, Wide Bay came out on top. Moreover, eight of the top nine happiest electorates were poor and isolated rural communities where there is a sense of wellbeing and pulling together by the local community.

These results illustrate how vital the sense of community is to our overall wellbeing and our commitment to the general community. In a world full of rhetoric, the phrase ‘a sense of community’ gets lost. But it is not intangible. You only have to think about sections of a community to understand its role and importance as a whole—its importance as a whole to Australia as a nation. Those sections are the young, the old, the sick, the disabled and the poor and less privileged in the Australian community.

However, it is not simply the vulnerable and weak who look to community for support. It is the most successful among us. When you ask leaders in a community how they succeeded to their positions within society, they invariably point to their dependence on others—a sense of team and community effort. Sir Gustav Nossal said:

...very few achievements are made alone and so much depends on collaborators, networks and people one has influenced.

Westpac’s David Morgan argues that leaders are, for the most part, not born but bred. That is, our environment is critical to our success, our sense of community. David Morgan said:

We are all remarkably adaptable beings and our experiences, especially in our early formative years, are crucial in developing our capacities.

For those reasons, I indicate my full support for the motion moved by the member for Cook this afternoon. It is exceptionally important. I referred to Sir Gustav Nossal’s advice and that of David Morgan from Westpac. The advice is well known in terms of where these people stand. I also want to quote advice from a well-known national campaigner on equality and human rights, the chair of Victoria’s Equal Opportunity Commission, Fiona Smith. She said:

Identify and connect with your community—no matter what forms the basis of it.

I reiterate her words for all Australians: identify with your local community, support your local community and do whatever you can to strengthen your local community.

I commend the motion to the House and encourage all Australians to work with and support their local, regional, state and national communities. It is about time we moved away from a dog-eat-dog approach to society and accepted our full responsibility to get involved in our local communities, to try to help overcome some of the difficulties which are faced by the less privileged. Without that commitment and accepting of responsibility, we will unfortunately, if we are not very careful, create a society of have-nots and haves. That—unfortunately the case in many countries beyond Australia—is the last thing we want to occur in Australia. Many people from overseas want to come to Australia, because of our past success in creating a sense of community.

In conclusion, I simply remind the House that, if we are about maintaining a sense of community and a willingness to go together as a community in Australia, then it is the responsibility of all of us to pull our weight to achieve such an outcome. If we are not careful from time to time, it can be easily lost.

Mr JOHNSON (Ryan) (1.28 pm)—I am pleased to speak in the parliament today and to support very strongly the motion of my friend and colleague the member for Cook. The motion is in relation to the United Nations Association of Australia, Division of
New South Wales, putting forward a resolution that calls for this year to be declared the National Year of the Community. I want to quote the website of the New South Wales Division of the United Nations Association of Australia. It says:

The UNAA has declared 2006 as the National Year of Community. This is an opportunity for people all over Australia to celebrate living in their local, regional, state and national communities. It is hoped that this year will allow people to build stronger community links.

I am particularly delighted to be able to speak in the parliament today on behalf of the electorate of Ryan, which I have the great privilege of representing. I read in today’s Australian that the electorate of Ryan ranks sixth as one of the happiest constituencies in this great country.

Mr Laming—They’ve got a great local member.

Mr Johnson—One of the reasons might be because of strong representation from their local member, but a more compelling reason might be because of the character of the Australians who make up the Ryan constituency. Part of the character of the Ryan community is its sense of community. This is a community which is very much dedicated to helping each other; this is a community which comes together and contributes very strongly and very genuinely to the wider society.

People from all over the world come to Australia to make this country their home and they do so for many reasons. They do so, of course, because of the great values that we cherish: the values of democracy and the values of freedom. Freedom includes freedom to publish, freedom to associate, freedom to practise our own faiths and, indeed, the freedom to protest—of course, the key point about that last one is that it is the freedom to protest peacefully.

One of the other reasons I think people come to Australia is the sense of community, and I want to give some figures in relation to the generosity of Australians. The Giving Australia report published in October 2005 estimated that the giving of money, goods and services to non-profit organisations by individuals and businesses totalled in excess of $11 billion a year. This excluded the enormous amount of resources given in response to the Asian tsunami crisis in late 2004 and early 2005. This comprised $7.7 billion from an estimated 13.4 million individuals—or 80 per cent of adult Australians—in the year to January 2005; and $3.2 billion from almost 536,000 businesses—or 67 per cent of all businesses—in the 2003-04 financial year.

I mentioned that the Ryan electorate is very generous. I want to bring the House’s attention to two young Australians who will be representing the Ryan electorate at the National Youth Roundtable here in Canberra.

We all know that the National Youth Roundtable is the centrepiece of the Australian government’s youth consultation mechanism. It brings young people between the ages of 15 and 24 to Canberra from all over this land to discuss some of the important issues that impact not only on them as young people and as young Australians but also on issues that affect the wider community and their country, Australia.

I want to pay tribute to Naomi Lim from Middle Park in the Ryan electorate, who is 17 and is completing her final year in school. She is an active volunteer in her local community and is interested in the issue of drug and alcohol abuse among young people, addressing Indigenous issues and, in particular, confronting prejudice. That is something that we in this House and indeed in this parliament must work together to not only minimise but indeed to eliminate from the fabric of our community.
The other young Australian from the Ryan electorate is Eve Campbell from St Lucia. Eve is 23. She recently started working for the Australian Red Cross and she is a member of the Army Reserve. She is interested in education, homeless issues and access to justice for young people. These are two, fine young Australians who very much embody the notion of community—the subject of this motion.

I want to commend once again my friend and colleague the member for Cook, who has a reputation in this parliament and in this country for his very strong sense of justice and for his very strong sense of community focus. In the parliament today I want to congratulate very strongly all those in the Ryan community and all those in my home state of Queensland who contribute their time very generously to make this country great. Of course, part of that is because of their sense of community and their generosity of spirit.

Ms OWENS (Parramatta) (1.33 pm)—I too would like to commend the member for Cook for moving this motion recognising the federal council of the United Nations Association of Australia’s declaration of 2006 as the National Year of Community. This is a great opportunity for people all over Australia to value, promote and support their local and regional communities.

The member for Batman has already spoken a little about the personal wellbeing index, which was covered in the major papers this morning. I would like to touch on that also in a slightly different area and note for the House that there is a strong correlation across all areas between a poor sense of wellbeing and a lack of connectedness to the community. In fact, the report states that the most consistent domain in the lowest performers in terms of personal wellbeing is connection to community, which is deficient in all of the nine lowest divisions. In order to determine whether the consistency would continue into high divisions, the ranks above those nine were also investigated. True to form, connection to community was below the normative range for 11 of the remaining 15 low-performing divisions. The personal wellbeing domain that most consistently separated the lowest from the highest divisions is community connection. It was consistently lower—even diagnostic of the divisions with the lowest personal wellbeing.

When we talk about community, people often talk about volunteers. That is an extremely important part of community, but community extends much more broadly than that. It is the way we share our knowledge, it is the way that information and ideas flow around a community and it is the way that we meet each other and interact in our streets, shopping centres and public places. It is the way we find out about local stories and the way we tell each other things. When a community loses its local shopping centre, it loses not just the businesses but a place where people come to meet and share time. When a person pops down to the local grocer—who may have been operating that grocer for many years and may have known their parents—they have an interaction and a local story to tell.

In my community of Parramatta I have been amazed, particularly in the last six months, how often people raise the word ‘community’ with a troubled note in their voice. People are well aware that over recent years we have seen a significant degradation of community—not just in our values but in the way we interact with each other. A woman said to me recently, talking about her current life and the way that work has taken over her family life, that she had lost the capacity to build her family community. She no longer put on local barbecues for the cousins and the extended family. She no longer spent the same amount of time with her relatives.
So even her family community was being degraded by the choices that she and her family had made and felt they had to make in order to survive in the world. Equally, I hear people grieve for the loss of community spaces. When the skating rink gets pulled down—the place they met their partner for the first time or where they went on their first date—they lose not just a venue but part of the memories that hold them in place and that cause that connection with the local community.

It sometimes astonishes me that the word ‘community’ is not used more often in this parliament—that we do not consider almost every bill we put to this House in terms of the effect that it will have on the strengthening or the weakening of our community. While we sometimes do not pay enough attention to community, I believe our constituents out there pay a considerable amount of attention to it. We are in fact a nation of joiners and, at times of extreme challenge such as we find ourselves in at the present, we are quickly reminded of the wonderful volunteering ethic in this country. Even the Prime Minister made a statement, following the findings of last year’s Australian Social Attitudes report. He said that the lifeblood of active Australian citizenship is the voluntary sector. A remarkable 86 per cent of adult Australians belong to at least one voluntary organisation and over 4.4 million Australians volunteer in one organisation or another. I am delighted to speak in favour of this resolution. It is a reminder to the House of the importance of the word ‘community’ to Australian communities. We in this House should not take it for granted. (Time expired)

Mr LAMING (Bowman) (1.38 pm)—I also support this motion put forward by the member for Cook. It truly behoves every member of this parliament to engage in often complex questions about what can strengthen community, what the role of government is and how much can be done from the ground up—from community efforts. It would be difficult to start anywhere other than with the works of Robert Putnam and others, who first promoted the notion of social capital back in the 1980s—Bourdieu and Coleman were in fact the first to coin the term. Since that time, many social researchers have worked hard to determine what exactly can promote social capital. We all seem to be able to define it, but what actually delivers more social capital and what does not? What works in the community sector?

To define the term, obviously we are all familiar with financial capital and physical capital but, as Eva Cox pointed out in her 1995 Boyer lectures, there is just not enough focus on the sense of social capital and the things that can promote it. To put it into simple terms, social capital is about building an inclusive community where many of the social norms are neither written nor spoken but still understood, and where individuals can have shared and mutual trust. One would hope that through the work of the 2006 National Year of Community we can promote more enterprising and more vibrant communities that have more room for individual expression and that are able to form the cross-cutting cleavages that bring people from different backgrounds together on potentially common and agreed grounds.

It was Putnam who attempted to quantify it by looking at the number of small community groups that exist in a society. He argued that where there were small community groups that brought together people from potentially different groups—cutting across political, ethnic and religious divides—there was better class and school retention and there were lower levels of crime. There is no more stark an illustration of this than the difficulties we saw in southern Sydney just recently. One wondered where the social norms were—those unwritten rules which
allow respect for different points of view, without the whole thing breaking down into the kind of farce we witnessed a month ago.

Reciprocity within a community includes the understanding that we are looking out for each other. That seems so simple to say, but it is something that has been very difficult to quantify. There are many parts of the world where there is no social capital and very little trust, and when a situation arises those communities must rely more on rules and regulations to ensure they have some sort of stability. The hope is that with a strong community that would not be the case. I refer to my electorate of Bowman, where a number of community driven programs are receiving support from all levels of government. That is the way it should be. Australians expect that there be programs—such as a community garden program—that bring people together from different backgrounds to share a common resource, without overutilising it, without free riders and where there is a common concern that that garden be something of beauty and utility that everyone can enjoy.

We also have a number of community groups that do enormous amounts of work, including some of the great Indigenous groups in my electorate. Goori House is one in particular that now has very strong government support. It looks out for young people who are having difficulties with substance misuse and helps them to get the life skills they need to re-engage with the community confidently. Goori House does that in an excellent manner.

Dell Bonner, a lady who lives in the southern part of my electorate, has just been named ‘Redlander of the Year’ in the Australia Day awards. Dell Bonner has held together her Neighbourhood Watch group for nearly a quarter of a decade. While people have moved from one community group to another, she has been a stalwart. She is a person that the entire community can come to and discuss community issues with, openly and frankly. Through the toughest of times, Dell Bonner has looked out for her community of Victoria Point. They are some examples from my electorate, but certainly in the end it is up to every person within a community to manage the place in which we live and which we love. There are many people doing that in my electorate. I strongly support the motion put today by the member for Cook. The year 2006 is the National Year of Community.

Mr LAURIE FERGUSON (Reid) (1.43 pm)—I congratulate the mover of this resolution on the National Year of Community. Coincidentally, last week I was reading a book by Tom Fremantle: The Road to Timbuktu. In there, he mentioned an American who retired to Djenne, in Mali, the site of a World Heritage mosque. The American made the comment:

What I love about this mosque is that it is replaced with mud at the end of every rainy season. Those wooden beams sticking out of it are used for climbing up. Everyone in the town joins in. Those not plastering on mud make tea or cook. It is a great communal event.

So, in the world, this is still occurring. However, as the previous speaker said, the American sociologist Robert Putnam has painted a dismal picture of the situation in the Western world. In his groundbreaking book, in 2000, Bowling alone: the collapse and revival of American community, he says:

Most Americans today feel vaguely and uncomfortably disconnected.

The bonds of our communities have withered and we are right to fear that this transformation has very real costs.

Of course, the reality is obvious to us all: people move homes more frequently, they change jobs. There is casualisation of our workforce and increasing numbers of people
are in part-time employment. All of these elements undermine community cooperation and a sense of society. In a recent edition of the *Journal of Australian Political Economy*, Barbara Pocock and Helen Masterman-Smith note that in this country part-time employment is at 46 per cent, compared with the rest of the OECD group of wealthy countries, where 25 per cent of the workforce is in part-time employment. Thirty-one per cent of females are in casual employment.

The SPEAKER—Order! It being 1.45 pm, the debate is interrupted in accordance with standing order 43. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting. The honourable member for Reid will have leave to continue his remarks when the debate is resumed.

**STATEMENTS BY MEMBERS**

Isaacs Electorate: Maralinga Primary School

Ms CORCORAN (Isaacs) (1.45 pm)—Last Friday I attended a special assembly at Maralinga Primary School, in my electorate. The assembly was to present the school captains and house captains for 2006 with their badges. It was great to be part of this ceremony. The school captains at Maralinga Primary School for 2006 are Brendan Way and Robyn Parker. The house captains are Emir Curan and Lesina Lalotoa, for Allunga House; David Lam and Maja Kosic, for Boomori House; Danijel Lazic and Sonia Shen, for Doongara House; and Milenko Borojevic and Julie Nhem, for Trawalla House. I also presented a badge to Raymond Tong, who is a coopted member of the junior school council.

I was interested in the origins of the house names, and I learnt that they are Aboriginal words. Allunga means sun, and Allunga House’s colour is yellow. Boomori means wind, and Boomori House’s colour is green. Doongara means lightning, and Doongara House’s colour is red. Trawalla means rain, and Trawalla House’s colour is blue. I want to congratulate all of these students. They have been elected to be leaders at Maralinga for 2006, and I know that they will be taking their responsibilities seriously and that they will do a good job. After the assembly, we all went into the staffroom for a special morning tea with the students, their parents and the teachers, and I had a chance to talk to some of the parents. They were very proud of their children, and rightly so.

**Water Management**

Mr BAIRD (Cook) (1.46 pm)—The New South Wales government have recently announced, with great fanfare, that their unpopular and polluting desalination plant has been shelved indefinitely. While this is great news for the people of Kurnell in the short term, the New South Wales government need to come clean about their future plans for desalination. The Labor government cannot expect shire residents to believe that the project has been shelved indefinitely while they continue with the acquisition of the proposed site and while they continue to spend huge amounts of money on building a test plant for Kurnell.

The New South Wales government seem to be trying to neutralise their deeply unpopular desalination plant to make sure they retain government at the next election, due in just 12 months time. Despite announcing they have shelved desalination, the New South Wales Labor government will spend $120 million of our money to complete infrastructure for a desalination plant they claim will not be built. Given the chronic underspending on things that matter to shire residents, surely this further $120 million would be better spent on more police to keep the shire safe, on more doctors and nurses for Sutherland Hospital and on better roads and
cleaner, safer trains to service the Sutherland Shire.

**Sydney (Kingsford Smith) Airport Development**

Mr GARRETT (Kingsford Smith) (1.47 pm)—I rise to speak on the proposed development at Sydney airport by the Sydney Airport Corporation Ltd, which proposes to develop 60,000 square metres for an aviation and retail business park or for a retail precinct. This is a completely unacceptable proposal to the people of Sydney, to the people of New South Wales and most particularly to the people of Kingsford Smith. This proposed super mall, a giant $200 million complex, is the worst kind of development, in the wrong place and, with heightened security risks at airports, at the worst possible time. It is barely 10 minutes from the existing Eastgardens and Southpoint shopping complexes; it is located at the junction of Foreshore Road, Botany, and the M5 Motorway; and it is near the end of the third runway—and adjacent to another airport runway, under which runs a tunnel. It is in entirely the wrong place.

I visited the site, which, incidentally, adjoins the location point for emergency vehicles and the public in the case of an evacuation of Sydney airport. I can assure the House and Minister Truss that it is entirely unsuitable for any development of any kind. This proposal is completely at odds with local and state planning laws. It makes a mockery of them, as there is no requirement on the part of the airport corporation to meet state planning requirements. The proposal has been overwhelmingly opposed by the New South Wales government, by the people of New South Wales, by the Sydney City Council, by local councils and, I can assure the House, by the majority of residents in Kingsford Smith. *(Time expired)*

**McPherson Electorate: Robina Holden**

Mrs MAY (McPherson) (1.49 pm)—I recently had the privilege of officiating at the grand opening of the new four-wheel drive light commercial vehicle and used vehicle facility at Robina Holden. This was a great occasion and a wonderful celebration of what Paul and Kathy van Riet have achieved since opening the Robina Holden facility in 1997. Paul’s and Kathy’s dream and vision was to develop a dealership that would be 21st century in its design as well as cutting edge in its customer facilities. Every stage of the facility was carefully considered and planned to develop and produce a state-of-the-art centre, and that vision has certainly been achieved.

The dealership first commenced in 1997 with 26 staff members. Eight years on there are more than 100 staff and the company is still growing. It is now the No. 1 dealership in Queensland and No. 7 in Australia in the sale of Holden’s four-cylinder vehicles—not a bad record in a very short period of time. Even more impressive—and, to Kathy and Paul and the team, more important—is the valuable role Robina Holden plays within our local community. Right from the beginning, Paul and Kathy wanted their business to bless the people of the Gold Coast. Over the past eight years the company, with support from the staff, has donated over $1 million in sponsorships and gifts to charity. That is an extraordinary commitment to our local community. I would like to wish Paul and Kathy and all the team at Robina Holden my very best wishes for the future. There is no doubt the business will continue to grow in the future and the Gold Coast community will be forever grateful for the commitment this family makes to us all.
Bushfires

Ms KING (Ballarat) (1.51 pm)—On Wednesday during my adjournment speech thanking CFA brigades for their extraordinary work during the recent Victorian bushfires, I listed the brigades in our area that fought in the Grampians fires. There are a number of brigades that fought in the fires at Anakie, Creswick and Mount Misery that I was unable to thank at that time.

In addition to the brigades mentioned in my previous speech, I wish to place on record in Hansard my thanks to the Ascot and District, Balliang, Blackwood, Bungaree, Buninyong, Burrambeet, Campbells town, Cardigan and Windermere, Carisbrook, Clunes, Elaine, Franklinford, Glen Park, Glendaruel and Mount Beckworth, Glenlyon, Gordon, Greendale, Guildford, Haddon, Hepburn, Invermay, Koorooyeang-Werona, Learmonth-Addington, Leonards Hill and District, Millbrook, Mollonggip, Morrisons and District, Mount Buninyong, Mount Eger ton, Mount Wallace, Mount Warrenheip, Musk, Myrniong, Newlyn-Dean, Parwan, Porcupine Ridge, Rowsley, Smythesdale, Smeaton, Spring Hill, Ullina, Wallace and Waubra brigades, who fought so hard in these fires.

These are totally voluntary brigades, drawing their membership from smaller towns. They put in an enormous effort throughout the year, making sure that they are trained and ready for exactly the events of last month. The fire at Anakie was particularly fierce, and it is a credit to these brigades that, despite the devastation to the area, there was no loss of life. I again acknowledge the extraordinary efforts of the CFA brigades in my district.

Child Care

Mr BARTLETT (Macquarie) (1.52 pm)—We have heard a lot lately about child care. People’s concerns are understandable if they cannot find adequate child-care places for their children, but it is very easy to focus on the negative. That is certainly standard fare for the opposition—to focus on the negative and to ignore any good news stories.

And there are good news stories. At the start of this school year, a new out-of-school-hours centre opened at Lawson in the Blue Mountains in my electorate—a child-care centre called Mountains Kidz, with 20 after-school places and 15 before-school places, all attracting the Commonwealth government’s child-care benefit. Congratulations to Lucy Hughes, the energetic and committed coordinator, for the great work that she is doing there.

As well, the national figures are worth bearing in mind. Since 1996, places in child care have almost doubled from 306,000 in 1996 to 600,000 in July last year. Specifically, for out-of-school-hours care places the figures are even more impressive, almost quadrupling from 71,846 in 1996 to 269,934 by the middle of last year. Over the next four years, this government will spend $9.5 billion on child care, pretty much double what Labor spent in its last four years. Yes, there is growing demand, but let us keep it in perspective. The numbers of places are growing, and this is benefiting not only the country as a whole but people in my electorate.

Fairfield Community Aid and Information Service

Mr BOWEN (Prospect) (1.54 pm)—Today I wish to raise in the House the outrageous treatment of the Fairfield Community Aid and Information Service by the Department of Families, Community Services and Indigenous Affairs, formerly the Department of Family and Community Services. Fairfield Community Aid has not received its funding for 2005-06. As a result, it has closed its service to the public. Fairfield
Community Aid has for 36 years carried out the vital role in my electorate of providing emergency funding to the least well off in our community. The Department of Family and Community Services have said that they have identified some accounting problems at Fairfield Community Aid, and I accept that. I accept it as their right to withdraw funding as they see fit.

My argument with the Department of Family and Community Services is that they have put in place absolutely inadequate safeguards, considering the withdrawal of that funding. It took me and the local paper some time to find out that $40,000 in emergency funding had been provided to the Salvation Army to compensate for the withdrawal of funding from Fairfield Community Aid. But the department said that they would not release that information, they would not make it public, because too many people might come and knock on the door of the Salvation Army and ask for the money, and that might cause a riot. Sir Humphrey Appleby has arrived in Fairfield! They are saying that they will not announce where emergency funding has gone, because too many people might need it. Too many people might come and ask the Salvation Army for the money.

We are talking about the former Secretary to the Department of the Prime Minister and Cabinet, who glided into the job of general manager of Sydney Airport Corporation Ltd and presided over the massive expansion of Sydney airport under his master plan. Now he has slid into the bosom of the Macquarie Bank as the director of a subsidiary of that bank. There could not be a conflict of interest more obvious in relation to Mr Max Moore-Wilton. He should be flogged for promoting the expansion of Sydney airport, because, as an airport, it is operating very well as a shopping centre and a car park.

Clearly, this government has abandoned the people that I represent, in terms of the massive expansion of Sydney airport, the impact of noise and the other environmental risks of big jets flying over the inner west of Sydney. Mr Max Moore-Wilton is nothing more than a venal agent of the Howard government. Honestly and truly, he should be flogged, flogged, flogged.

Sydney (Kingsford Smith) Airport

Mr MURPHY (Lowe) (1.55 pm)—I congratulate the member for Kingsford Smith for raising the issue of Sydney airport here today. I too want to raise this issue. I am outraged at a report in last Thursday’s Sydney Morning Herald, which reported Mr Max Moore-Wilton as follows:

He also said the curfew, which prohibited most aircraft using the airport between 11pm and 6am, caused planes to bank up early in the morning, “but we’re talking to the Federal Government about that … if I had my druthers, we’d like to have no curfew at all”.

55th Anniversary of National Service in Australia

Papua New Guinea Volunteer Rifles Museum

Mr RIPOLL (Oxley) (1.57 pm)—I want to put on the record my appreciation and the deep respect I have for our National Servicemen’s Association of Australia Queensland branch for organising an event marking the 55th anniversary of national service in Australia. The event was marked by an inaugural church service in the restored chapel at the National Service Heritage Precinct in my electorate of Oxley, at the former Wacol army camp.

This important event truly represents the values and community connection that our veterans and our nashos have in our local community and the efforts they make to preserve an important part of our history. The event was attended by the Minister for Veter-
ans’ Affairs, who is here in the House with us today, along with a number of other dignitaries from the three forces, the Consul of Papua New Guinea, local representatives, church leaders, Air Force cadets and many families and friends.

Making the day even more special was the honour guard provided by our local Air Force Cadets unit. They did a fantastic job in very humid conditions. They are a fine group of young people, committed to carrying on the traditions of military service and serving the local community, and I congratulate them for their efforts.

I also want to thank the President of the Queensland branch of the National Servicemen’s Association of Australia, Colin Bell, for the opening of the Papua New Guinea Volunteer Rifles Museum, a truly wonderful display and a great piece of heritage. We should never forget that a total of 287,000 young men served as nashos in the Navy, Army and Air Force between 1951 and 1972. We should also never forget that 212 of them paid the ultimate price.

**Interfaith Trivia Night**

Dr EMERSON (Rankin) (1.58 pm)—This will be a very spontaneous contribution indeed. I want to pay tribute to the organisers of the interfaith trivia night on Saturday night. It was a fantastic event.

Mr Kelvin Thomson—Did you win?

Dr EMERSON—I have already had an interjection from the member for Wills asking whether we won. We came fourth. It was an honourable fourth, but we were beaten by superior faith and knowledge. Involved in the interfaith night were Christians, Muslims and Jews. It was a night of great harmony, tolerance and competition. Probably the trick question of the night was: ‘What is the middle name of Gough Whitlam?’ Of course, I was able to contribute the correct answer to that, but I got many others wrong. It was a fantastic night, and it just shows what can be done when people work together in harmony for a great society.

**Sydney (Kingsford Smith) Airport**

Mr MURPHY (Lowe) (1.59 pm)—I would like to repeat what I just said: Max Moore-Wilton should be flogged, flogged, flogged. Clearly Mr Max Moore-Wilton thinks that the curfew at Sydney airport should go and the cap movement should go. He has got no interest in facilitating the fair distribution of noise in the inner west of Sydney. I hope the Prime Minister is against Mr Max Moore-Wilton for promoting the expansion of Sydney airport. Mr Max Moore-Wilton should be flogged.

The SPEAKER—Order! In accordance with standing order 43, the time for members’ statements has concluded.

**QUESTIONS WITHOUT NOTICE**

**Oil for Food Program**

Mr BEAZLEY (2.00 pm)—My question is to the Prime Minister. Prime Minister, who made the decision to gag officials from answering Senate estimates questions about the ‘wheat for weapons’ scandal? Was it a decision of cabinet, senior ministers or the Prime Minister personally? When the decision was made, was it conveyed to officials orally or in writing? When was the decision made?

Mr HOWARD—Let me inform the Leader of the Opposition that this was a decision of cabinet, and it is an entirely proper decision. Let me also remind the Leader of the Opposition that way back in 1989—and I wonder who was the Prime Minister then, and who was a senior minister—there was a decision taken by the cabinet that officials in an entire department could not answer any questions on a subject called ‘Coronation Hill’, not because there was a royal commission into Coronation Hill but simply because...
the matter was subject to cabinet consideration.

Let me tell the Leader of the Opposition and, through him, the Australian people that we have a commission with royal commission powers looking into every aspect of this matter, and it is entirely appropriate that public servants be allowed to appear before that commission. They will be allowed; they will not be hindered. The decision taken by the government, by the cabinet, is entirely proper and indeed not out of line with the spirit of decisions taken by the former government of which the gentleman who has just asked me the question was a senior member.

Iraq

Mr BAIRD (2.02 pm)—My question is addressed to the Minister for Foreign Affairs. Would the minister update the House on democratic developments in Iraq? Are there any alternative views?

Mr DOWNER—First of all can I thank the honourable member for Cook for his question. The Australian government welcomes the certification on 10 February of the final election results coming from Iraq’s general election on 15 December. I congratulate all those who have been elected to what is called the Council of Representatives. What is particularly significant here is that the turnout in this election was 70 per cent. This was of course a voluntary election. In the face of the intimidation of the insurgents and the terrorists—in spite of all of that—there was a massive turnout. Now it is up to the elected representatives to work together to form a broadly representative government. The first meeting of the Council of Representatives will elect a speaker and deputy speakers, and then it will elect a president and vice-president, with a two-thirds majority. The president and vice-president will call for nominees for the position of prime minister. The United Iraqi Alliance has already voted. It voted yesterday for the current interim prime minister, Prime Minister Jafari, to be their candidate, having defeated the vice-president, Mahdi, 64 to 63, I think, with two abstentions.

Obviously the new Iraqi government will have tough challenges. But the point is that this is a government which will have democratic legitimacy, where the ordinary people of Iraq, in the face of the insurgents, in the face of the terrorists, have gone out to vote and to support the whole process of democracy. It simply underlines the point that it is important that we in this country stand by the people of Iraq and the democratically elected parliament of Iraq and that this parliament stand by its democratic counterpart in Iraq. I cannot think of anything, in relation to Iraq, more important for us to do.

The opposition’s position is that we should support democracy in Afghanistan but we should abandon democracy in Iraq. I do not know about any of my colleagues here, but if they can see the logic of that I do not think anyone else can. There is no logic in supporting democracy in Afghanistan and simultaneously abandoning democracy in Iraq—except, of course, a view that: ‘Iraq is not very popular, so let’s abandon the less popular one and support the more popular one.’ Only a weak leader of a political party would do that.

Oil for Food Program

Mr BEAZLEY (2.05 pm)—My question is to the Prime Minister, and it follows the one I asked him previously and his answer. Of course he knows that Coronation Hill in those circumstances is no precedent for the position he is adopting now. I refer also to the government’s exclusion of findings on ministers’ competence in the discharge of their responsibilities from the Cole inquiry’s terms of reference and now the government’s gagging of officials in Senate estimates hear-
ings, a step they did not take in the previous Cole royal commission nor the HIH royal commission. Prime Minister, isn't this arrogant abuse of power all about protecting the Prime Minister and the five ministers now embroiled in the 'wheat for weapons' scandal? What do you have to hide, Prime Minister?

Mr HOWARD—I can assure the Leader of the Opposition that if I had anything to hide I would not have established the royal commission. It is as simple as that. The Leader of the Opposition gets very worked up, but let me just calmly remind the House of this. Let me read from the terms of reference. I read these terms of reference advisedly: 'It necessarily follows that the knowledge of the Commonwealth and the Commonwealth there is used generically, so that includes me, it includes all of my colleagues, it includes public servants and it includes the secretary of the department—'of any relevant fact is a matter to be addressed by this inquiry.'

That is Mr Cole. Could I let the Leader of the Opposition into a secret: I think the Australian public will place more reliance on Mr Cole's findings than on the Leader of the Opposition's fulminations. We will leave that to later on. Continuing to read from the terms of reference:

It necessarily follows that the knowledge of the Commonwealth of any relevant facts is a matter to be addressed by this inquiry and is within the existing terms of reference in the letters patent.

That is what Mr Cole said. That is not John Howard, Alexander Downer or Mark Vaile.

Mr Beazley—Mr Speaker, I rise on a point of order. I made the point in my question explicitly that findings on these matters and on the competence of ministers in addressing their ministerial responsibilities are not possible and Cole himself has said that.

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

Mr Beazley interjecting—

The SPEAKER—The Leader of the Opposition will resume his seat. When the Leader of the Opposition wishes to raise a point of order, he should not debate the point but get straight to his point. I call the Prime Minister.

Mr HOWARD—I return to the point that the commissioner himself has said that it:

... follows that the knowledge of the Commonwealth of any relevant facts is a matter to be addressed by this inquiry and is within the existing terms of reference in the letters patent.

He then goes on to say that, if he needs any further power, he will ask for it. The Leader of the Opposition asks why we did not draw the terms of reference differently. Let me remind the Leader of the Opposition that we decided to establish this inquiry.

Mr Rudd—Mr Speaker, I rise on a point of order. The Leader of the Opposition's question dealt with Cole's capacity to make findings on the competence of ministers, not the breach of law—and you will not answer that, Prime Minister.

The SPEAKER—The Prime Minister is in order.

Mr HOWARD—We established this inquiry because Volcker had made an adverse finding about AWB Ltd and other companies; he did not make an adverse finding about the Australian government. If he had, then the terms of reference would have gone further than they have. Our terms of reference do exactly what Volcker asked be done. In fact, almost alone amongst the countries around the world, we are having a proper inquiry into this matter. We have not referred it to the police, where you would not have the capacity to compel the attendance of witnesses and you would not have an open inquiry. Let me say to the Leader of the Oppo-
sition that this government has been utterly transparent in this matter—utterly transparent. We have established a commissioner with the powers of a royal commission, who can compel witnesses. As I said yesterday when being interviewed on television, I am content to let the blame fall where it may. This government has nothing to hide in relation to this matter.

**Trade**

**Mrs HULL** (2.10 pm)—My question is addressed to the Deputy Prime Minister and Minister for Trade. Would the Deputy Prime Minister advise the House of trade distortions facing Riverina farmers and farmers across Australia on the world market? How is the government working towards a level playing field for Australian agriculture?

**Mr VAILE**—I thank the member for Riverina for her question. The member for Riverina is well aware of many of the distortions in terms of global trade that our farmers face. In light of recent debate, it is important to remember that they face an unlevel playing field internationally. For decades and decades, Australian governments have been pursuing a better and fairer set of trading circumstances across the world. Australian farmers are amongst the best in the world, Mr Speaker, as you would be well aware. We are leading exporters of wheat, beef, wine, wool and sugar—and also of rice from the electorate of the member for Riverina. But they all face enormously unfair competition, once they venture out in the global marketplace.

It is a well-known fact that governments around the world spend about US$280 billion per year subsidising their farmers, making it unfair or creating unfair competition against ours. Farmers in the European Union receive about 33 per cent of their income from government, while the US figure is about 18 per cent. So 18 per cent of farmers' income in the United States comes from the government; 33 per cent in the European Union. It is interesting, again in the context of the current debate, that the top four executives of the US Wheat Associates received almost 2.5 million in subsidies. They are subsidies that Australian farmers—Australian wheat growers and Australian rice growers—do not have access to and have to compete against in markets across the world. That protectionism depresses prices and leads to lower returns.

Our farmers also—this will be of interest to the member for Riverina—face incredibly high tariff barriers in terms of getting access to some markets. The member for Riverina would know of the 700 per cent tariff that our rice is confronted with going into Japan. Recently we have been criticised as a country and as a government by farm groups, like US Wheat Associates, for some of our domestic policies like the single desk. Given the figures that I have just mentioned, getting that sort of lecture from them is a little like taking anger management advice from Mark Latham.

As Chair of the Cairns Group, we have worked for many decades to remove the unfairness of export subsidies. In Hong Kong, at the end of last year, we finally got agreement from the European Union to eliminate export subsidies by 2013. We aim to continue to fight to improve global trading circumstances so that our farmers, our exporters—particularly our wheat exporters—do not face the distortions that they currently do.

**Oil for Food Program**

**Mr BEAZLEY** (2.14 pm)—My question is to the Prime Minister and follows his previous answer. Prime Minister, given—as you have just stated in the House—your reliance on the Volcker commission's findings for the limitations that you placed on the terms of
reference for the Cole commission, can you now assure the House that Volcker had before him all the documentation from official sources that is now available to Cole?

Mr HOWARD—I can inform the House that I gave instructions that there should be total cooperation by the government with the Volcker inquiry. I also might add that I asked the relevant minister to write in unequivocal terms to AWB Ltd to indicate that AWB Ltd should cooperate fully with the Volcker inquiry.

Mr Beazley—Mr Speaker, I rise on a point of order on relevance. I am not interested in the AWB’s documentation.

The SPEAKER—The Leader of the Opposition will resume his seat. The Prime Minister is in order. I call the Prime Minister.

Mr HOWARD—I simply repeat that I instructed that there be cooperation, and I am sure the government cooperated fully with Volcker. The point I made in relation to the establishment of the royal commission was a very simple one: that Volcker made a finding adverse to AWB Ltd and a number of companies; he did not make a finding adverse to the government. The proposition that you just gratuitously establish royal commissions into the behaviour of people against whom nothing has been alleged—the Leader of the Opposition—

Mr Beazley—Mr Speaker, I rise on a point of order. He has not answered the question as to whether or not they had all the documentation. The reason he will not is that he—

The SPEAKER—The Leader of the Opposition will resume his seat. The Prime Minister is in order.

Mr HOWARD—I conclude my answer by simply saying that I have listened very carefully to the Leader of the Opposition. I watched a replay of his interview yesterday and—can I tell you something, Mr Speaker?—after all this noise, the Leader of the Opposition has provided no evidence to support the baseless allegations he has made against my ministerial colleague and against the government. I repeat that we have a royal commission into this matter. It is open, it is transparent and it is independent. It will get to the bottom of the matter, notwithstanding the fulmination of the Leader of the Opposition.

Economy

Mr BARRESI (2.17 pm)—My question is addressed to the Treasurer. Would the Treasurer outline to the House prospects for the Australian economy and risks to the economic outlook? Are there any other views?

Mr COSTELLO—I thank the honourable member for Deakin for his question. I can inform him that the current expansion of the Australian economy is longer than any other expansion that Australia has ever recorded. Unlike other countries that have had downturns in recent times, including the United States, Japan and much of Europe, the Australian economy has continued to grow. At the moment the economy is rebalancing somewhat. It was led, in recent years particularly, by consumption, but we are seeing a slowing in relation to consumption and hopefully a pick-up in relation to Australia’s external trade. This of course is being led by the emergence of China and India, and the emergence of China and India has also led to very strong prices for energy and commodities.

Notwithstanding all of that, the terms of trade increase that this has brought about could well be a difficulty for the Australian economy. In the past, every time there has been a terms of trade boom, inflation has got away in the Australian economy and it has invariably been balanced by a very severe downturn. So the task of managing the econ-
omy at the moment includes managing a terms of trade boom to ensure that it does not end badly, as it has on previous occasions.

In a statement on the conduct of monetary policy which was released today, the Reserve Bank also underlined an assessment which is very similar to the government’s assessment of the Australian economy. It noted that, given the current level of oil prices, headline inflation would remain close to three per cent in the short term. But it is important that we make sure that the increase in petrol prices does not have second-round effects and does not come back into the general economy, because, if it did, that would put pressure on monetary policy. Notwithstanding all these challenges, Australia is set for continuing growth on low inflation with a very strong budget position, which is important to maintain our present discipline.

I was rather interested in an unexpected endorsement of economic policy last week from the new Premier of Western Australia, Mr Alan Carpenter, who noted the growth of the national economy. He noted the low unemployment and said, ‘The GST, which I opposed, has been in the interests of the country.’ I thought that was a very interesting observation from the new Labor Premier of Western Australia. I do not think I have ever heard anybody in the federal Labor Party turn around and say that the GST was in the interests of the Australian economy. The last-known word from the Leader of the Opposition on the GST was a word which began with ‘R’, the word which dare not speak its name. As for the member for Hotham, he made a career out of opposing the GST. He is not here today; he is no doubt back home saving his preselection—and well he might. He would enjoy a bit of support from the Leader of the Opposition when it came to saving his preselection.

I want to place on record that we are standing with the member for Hotham, the member for Maribyrnong and the member for Corio against the factional forces down there in Victoria which are going to roll each and every one of them out. We appreciate you even if the factional bosses of the Labor right wing do not. On the other hand, that may be a kiss of death—so we are opposed to the members for Corio, Maribyrnong and Hotham! But, in terms of economic thinking, the Leader of the Opposition is back where he was in 1998 with his roll-back policy. He has shown no modernity, no maturity and no improvement. He is less ready for government now than he was then, and the Labor Party cannot be trusted in relation to economic policy.

Oil for Food Program

Mr Rudd (2.22 pm)—My question is to the Prime Minister and follows his answers to the Leader of the Opposition’s two previous questions. I ask whether the Prime Minister will confirm his statement to the House of Representatives on 31 October 2005 when he said:

... having received in the case of Australia full responses and cooperation and full documentation, if there were anything lacking in the behaviour of Australia in relation to her obligations the Volcker inquiry would have so reported.

Mr Howard—I do not have anything to add to the answers I have given.

Australian Defence Force: Rwandan Service

Mr Georgiou (2.23 pm)—My question is addressed to the Minister for Veterans’ Affairs. Would the minister advise the House what action the government is taking to recognise the specific challenges and to provide ongoing support to those Australian Defence Force members who served in Rwanda?

Government members interjecting—
Mr BILLSON—Thank you for the encouragement. I would like to recognise the member for Kooyong for his interest in this matter, along with a number of other colleagues in this place: the member for Gilmore in particular, the member for Hughes, the member for Blair, the member for Fisher, the member for Maranoa and the member for Flinders.

Mr Speaker, you would be aware that the welfare of Australia’s Defence Force men and women is a high priority for the government. Today I was pleased to announce that the ADF personnel who served in Rwanda from 1994 to 1995 will have their service recognised as warlike following a review by the Department of Defence and a decision by the Australian government.

Mr Speaker, you would be aware that nearly 640 ADF personnel served in two six-month deployments in Rwanda at a terrible and tragic time when that conflict took the lives of an estimated 800,000 people who were brutally slaughtered. Our ADF personnel were doing life-saving work in that terrible environment. At the time, the then Labor government declared the service as ‘hazardous’, but facts and history show that that was probably not an accurate account of the threat, hardship and danger that our ADF personnel were faced with.

In 2002 the Howard government put in place a process, a nature of service review, to enable these shortcomings to be revisited and to see that appropriate classifications were put in place. The shadow minister for veterans’ affairs, Alan Griffin, rightly recognised the original decision by the then Labor government as a failure of policy. The Howard government put in place a mechanism to review those designations. Today we have announced that that particular engagement in Rwanda will be reclassified. That will bring immediate benefits to the ADF personnel involved, not only in recognition but also in ongoing access to existing entitlements and benefits, eligibility for the Australian Active Service Medal and also, where those veterans are unable to work, immediate access to the invalidity service pension. In the longer term, this designation also provides added support to those ADF personnel, with access to a gold card at age 70 providing free comprehensive health care, access to the service pension at age 60 and much comfort and support for their family members.

I commend this announcement to the House. I recognise the interest of many colleagues in this place and I invite all members to recognise the great sacrifice and commitment of the ADF personnel in Rwanda who saw horrendous things—brutality and suffering that could not be imagined. We have made that right today with this announcement.

Oil for Food Program

Mr BEAZLEY (2.26 pm)—My question is to the Prime Minister and goes to his reaffirmation of a previous answer in which he said that the Volcker commission received, in the case of Australia, ‘full responses and cooperation and full documentation’. Is the Prime Minister aware that on 3 November last year Senator Faulkner, in the Senate estimates of Foreign Affairs and Trade and Defence, asked whether the Volcker investigators examined electronic files? The response of the Department of Foreign Affairs and Trade was no, they had not examined electronic files, where of course a substantial amount of the information would lie.

Opposition members interjecting—

The SPEAKER—The Leader of the Opposition will resume his seat. The member for Griffith will get up to the dispatch box and withdraw.

Mr Rudd—I withdraw.
The SPEAKER—The Prime Minister has the call.

Mr HOWARD—I have not misled the house. I repeat: I do not have anything to add to the previous answers I have given.

Bulk-Billing

Mr MICHAEL FERGUSON (2.27 pm)—My question is addressed to the Minister for Health and Ageing. Would the minister update the House on the latest GP bulk-billing figures, especially in my state of Tasmania.

Mr ABBOTT—I thank the member for Bass for his question. He does not just talk about health; late last year he walked 200 kilometres to raise $40,000 for cystic fibrosis research. Well done to the member for Bass. I can well understand why he is interested in the bulk-billing rate in Tasmania, because it has risen by almost 20 percentage points since the government’s Strengthening Medicare changes began in December 2003. Bulk-billing is not the be-all and end-all of Medicare but it is important. It should be widely available, particularly to children and pensioners, and that is just what is happening, thanks to the policies of the Howard government.

In the December quarter last year, the GP bulk-billing rate reached 75.1 per cent; that is, more than three out of four GP visits right around Australia are now bulk-billed. That is an 8.6 percentage point increase on December 2003. The bulk-billing rate in country areas, at almost 70 per cent, is at an all-time high. The bulk-billing rate for children under 16, at over 82 per cent, is at an all-time high. Tasmania is up 19.8 percentage points, South Australia is up 13.6 percentage points, Queensland is up 10.9 percentage points, Victoria is up 9.3 percentage points, Western Australia is up eight percentage points and New South Wales is up 5.6 percentage points to over 80 per cent. Over eight out of 10 visits to a GP in New South Wales are bulk-billed. These are the sorts of figures which demonstrate why the Australian people trust the Howard government with their health care. They understand, even if members opposite do not, that the Howard government is the best friend that Medicare has ever had.

Oil for Food Program

Mr RUDD (2.29 pm)—My question is to the Deputy Prime Minister. I refer the Deputy Prime Minister to the 10 June 2003 email to his department from Michael Long which, if electronic files were not provided to Volcker, was not provided to the Volcker inquiry either. Minister, didn’t this email contain the memorandum from the Coalition Provisional Authority, asking your representative to ‘identify which contracts under the oil for food program have a kickback or surcharge, often 10 per cent, and to identify and indicate them on the matrix’? Minister, what action did your department take to obtain this matrix—yet another warning of the AWB’s involvement in kickbacks to Iraq—or was this warning ignored also?

Mr VAILE—To the best of my knowledge, that email did not mention AWB. The second point is that the reference was to Iraqi ministries; it was from within the Coalition Provisional Authority, so that information would have been available to Volcker.

Afghanistan

Mr LINDSAY (2.31 pm)—My question is addressed to the Minister for Foreign Affairs. Minister, would you update the House on Australia’s role in helping to rebuild Afghanistan?

Mr DOWNER—I thank the honourable member for his question. I know he is very concerned about the situation in Afghanistan because he is a very fine representative of many members of the Australian Defence Force.
Progress so far in rebuilding what was destroyed by 25 years of conflict in Afghanistan has been remarkable. While, of course, there continue to be significant and serious problems, there has been very great progress. I was there myself, just before Christmas, and met with President Karzai, Foreign Minister Abdullah, the defence minister and other ministers and officials. I can observe this: although there have been outbreaks of violence, particularly in the south, and those outbreaks of violence continue, the wider perspective shows that those who seek to prevent the emergence of a stable and democratic Afghanistan are failing to achieve their objective.

The government is proud of the role we played in helping to overthrow the Taliban and al-Qaeda back in 2001. In recent months we have increased our military deployments—in fact, we have sent an additional two helicopters and 110 support staff to boost the current 190-strong Special Forces Task Group. Our reconstruction efforts have also been very important. I am pleased to hear from my Afghan counterparts that our work has been much appreciated.

We have indicated a willingness to send up to 200 more military personnel as part of a provincial reconstruction team and now that the Dutch have confirmed, as they did the week before last, that they will deploy, as part of what is called ISAF, the International Security Assistance Force III, we can make a final decision soon on this whole question of deploying military personnel as part of a broader provincial reconstruction team.

I visited the Netherlands the other day and met with the Prime Minister, foreign and defence ministers. Not only did they have a very favourable view of this country, as it is the 400th anniversary this year of the first Dutchman—or European, for that matter—ever to visit Australia’s shores; they have a very high regard for the Australian Defence Force, for its professionalism and for the work we are doing in Afghanistan.

While I was in London I announced that Australia would provide another $150 million over five years to support the transition from conflict to peace in Afghanistan. This is on top of the $110 million that we pledged at the Berlin conference and that has now been disbursed in full.

The government is making a very important and a very real effort to help the people of Afghanistan as their democracy emerges. We are pleased to observe that the opposition, on this particular issue, happens to support the government—presumably because the opposition gauges that this deployment and this support is more popular than the support we provide in Iraq. But, at the end of the day—

Mr Beazley interjecting—

Mr DOWNER—and the Leader of the Opposition interjects—we know what is behind all this, and that was demonstrated in the election survey of Labor candidates at the last election, which showed—

Opposition members interjecting—

Mr DOWNER—yes, again—that only 40 per cent of Labor candidates valued the American alliance as highly important; in other words, 60 per cent did not. The Leader of the Opposition and others ultimately are just playing to that kind of feral Left constituency.

Oil for Food Program

Mr RUDD (2.35 pm)—My question is to the Deputy Prime Minister. Is the Deputy Prime Minister aware of this report, prepared by the United States Department of Defense, dated September 2003, which evaluated 759 contracts under the oil for food program and which found that food commodity contracts were the most consistently overpriced? Is the
minister aware that AWB Ltd is named in this report as a supplier with overpricing on a 500,000-tonne contract to the tune of $14.8 million? If the minister’s excuse for not acting before was that the AWB was not mentioned by name, what is his excuse for not acting on the basis of this report, where the AWB is explicitly named?

Mr VAILE—There are obviously any number of inquiries and reports being done, but the Volcker inquiry was done into the oil for food program. As soon as the Volcker inquiry is completed, we instituted the most important inquiry, and that is the Cole inquiry.

Honourable members interjecting—

The SPEAKER—Order! The minister will resume his seat. Before I call the Leader of the Opposition, I point out that there is far too much noise in the chamber.

Mr Beazley—Mr Speaker, my point of order goes to relevance. This is a year-plus before the Volcker report.

The SPEAKER—Has the minister completed his answer?

Mr VAILE—Yes.

Mr Rudd—Mr Speaker, I rise on a point of order. Under the standing orders the minister is required to answer the question. He did not answer any element of that question.

The SPEAKER—The member for Griffith will resume his seat. There is no point of order.

Family Separation

Mrs DRAPER (2.37 pm)—My question is addressed to the Attorney-General. Would the Attorney-General advise the House of steps the government is taking to recognise the importance of grandparents in families affected by separation?

Mr RUDDOCK—I thank the honourable member for Makin for her question. I think all members of the House acknowledge her interest particularly in family law issues and the role of grandparents in families affected by separation. I am sure she and other members of the parliament will be interested in the recent research of the Institute of Family Studies which confirms the importance of grandparents in caring for children. This role can be even more crucial in cases where there is separation. Grandparents can exercise a moderating and calming influence at times of great stress and uncertainty for families.

The government is interested in these matters because we are undertaking some of the most significant reforms to the family law system in some 30 years. These proposed changes to the family law system will see the role of grandparents better taken into consideration when family breakdown occurs. Parents will be encouraged to consider time spent with grandparents when developing a parenting plan. If the matter proceeds to court, the court will need to specifically consider the importance to the child of the relationship with grandparents.

This government is also investing $397 million over four years to provide resources to help families, including with the establishment of 65 family relationship centres over time across Australia. These centres are intended to be family-friendly places where grandparents will be welcomed and supported if they are affected by the separation of their children.

The government will also be providing funding to legal aid commissions to enable them to provide an expanded dispute resolution process to grandparents seeking contact with their grandchildren. This government recognises the valuable contribution of grandparents to children’s lives and we are determined to assist them in making that contribution.
Oil for Food Program

Mr Rudd (2.39 pm)—My question is to the Deputy Prime Minister. I refer to his answer to my previous question about when the government first became aware of the US Department of Defense report which names the AWB as one of the companies overpricing its contracts with Iraq. Minister, given that the US defense department’s report was addressed to the Coalition Provisional Authority, which had Australian government representatives at a senior level, and given that it referred to the AWB by name and requested immediate action from the Coalition Provisional Authority, does the minister expect this parliament to believe that the government was not aware of this report?

Mr Vaile—The member for Griffith clearly indicates that the report was to the CPA. The CPA has acted, the UN has acted and the Australian government has acted by establishing the most far-reaching inquiry of any government that had a business involved in the oil for food program.

Workplace Relations

Mr Jull (2.41 pm)—My question is addressed to the Minister for Employment and Workplace Relations. To what extent has the new workplace relations system been implemented? What has been the reaction to this new system?

Mr Andrews—I thank the member for Fadden for his question and his continued interest in the updating of workplace relations in Australia. I can report to him that the Work Choices legislation received royal assent on 14 December last year. Since then the government has moved to establish the new Australian Fair Pay Commission and has also appointed the Award Review Task Force. This indicates that the government has a clear plan for Australia’s future.

As part of the reaction we have the contrast of the Labor Party, which is squibbing about when it might release its policy. On 22 November last year the Leader of the Opposition promised to release a workplace relations policy this year. He said:

In terms of industrial relations, yes, we will, we’ll be doing that next year. At the moment we’re focussing on what the Government’s legislation is but we’re going to provide people with a very clear alternative.

When might we see this very clear alternative? Perhaps not for some time, because the Leader of the Opposition spoke at the National Press Club on 1 February. He said that they would need some time to see what the effects are. He said:

We will not, by the time we deliver this, have a full understanding of where the High Court is going to send their industrial relations legislation and nor will we have, because I don’t believe this will really start to kick in in terms of its effect on the Australian workforce probably until next year...

Apart from being prolix, this is just nonsense. The Leader of the Opposition says to the National Press Club on 1 February, ‘We don’t know where this is going; we haven’t got a policy,’ yet repeatedly last year we heard him in this place saying he was going to rip up the Work Choices legislation. Nor does he need to wait, as he said in the National Press Club, to see the effects. If it is as bad as the Leader of the Opposition made out last year then he knows what the effects are.

Can I remind the House of some of the effects that were predicted by the Leader of the Opposition: no more weekend barbecues, a higher divorce rate in Australia, kids not seeing their parents at Christmas time—

Mr Costello—Global warming!

Mr Andrews—global warming. Australian workplaces being South Americanised, the economic growth of Australia stopping, people not being able to pay their mortgages and the Australian way of life...
being destroyed. All of these things are the effects that the Leader of the Opposition said last year will be a consequence of the new Work Choices legislation. But when he goes along to the National Press Club this year he says, ‘Oh, no—we’ve got to wait and see the effects.’ The reality is that, when it comes to this policy, like any other policy, the Leader of the Opposition is clueless—no ideas, no policy and no leadership.

**Oil for Food Program**

Mr Rudd (2.44 pm)—My question is to the Deputy Prime Minister. Deputy Prime Minister, given that this US Department of Defense report, which names AWB, requested immediate action from the Coalition Provisional Authority, of which Australia was a principal member, what action did the government take in response to this report? Is it not a fact that by turning a blind eye to this report AWB’s corrupt contracts with Iraq continued to run for another 12 months after this September 2003 warning?

Mr Vaile—The government did not turn a blind eye to anything.

**Live Animal Exports**

Mr Schultz (2.45 pm)—As a person who takes offence to the terminology ‘blind eye’, I would like to address my question to the Minister for Agriculture, Fisheries and Forestry. Would the minister inform the House of the importance of live exports to Australian farmers?

Mr McGauran—I thank the honourable member for Hume for his question and welcome his interest in the subject matter. As a large number of members would be aware, there were disturbances and demonstrations at Devonport over the weekend as a group of extreme animal liberationists attempted to disrupt a lawful and highly regulated trade of livestock. The animal liberationists on the spot would not know, let alone care, about the standards of animal welfare that govern Australia’s livestock export trade. It is governed by much strengthened standards following the Keniry review in 2003. These standards are now much more community focused, with membership comprising representatives from all states and territories, industry and animal welfare groups. Since the Keniry report, the government has committed $4 million to improve the welfare of Australian animals shipped to the Middle East, especially on their arrival in countries that do not have Australia’s high standards of receiving and processing.

The Al Messiiah loaded 72,000 sheep in Devonport bound for Kuwait and the UAE over the weekend. The ship had already loaded 900 cattle from Portland. It is reported that the shipment would mean in excess of $2½ million to farmers for stock that domestic processors had rejected late last year. There was no major incident regarding the quality and fitness for transport of the sheep. Of the 72,000 sheep, only 300 were deemed unfit for travel by the AQIS veterinarian and the exporter. This represents less than 0.5 per cent of the total load. The sheep were prepared in a feedlot in accordance with the livestock export standards and closely supervised by AQIS. An experienced shipboard veterinarian and stockman are accompanying the shipment, and daily voyage reports will be sent to AQIS. I congratulate the Tasmanian Farmers and Graziers Association on their support of primary producers and the export industry and I sympathise with the Tasmanian police, who would have picked up a great many bruises and cuts as they tried to maintain the law at that time and at that place.

Australia’s highly regulated and world-class standard exports are at threat from animal liberationists, who are on an ideological bent and have no knowledge, care nor interest in the welfare of animals. If Australia stops supplying the market, other exporters
with less concern and less of a proven track record would step in to fill the void. Australian involvement is therefore influencing change and improving animal welfare outcomes.

Oil for Food Program

Mr BEAZLEY (2.49 pm)—My question is to the Deputy Prime Minister. Does the Deputy Prime Minister recall giving the following answer to a question on when he first knew about AWB violating UN sanctions against Saddam Hussein’s regime on 8 November 2005: ‘The allegations raised first came to my attention as a result of the Volcker inquiry’? Deputy Prime Minister, isn’t it a fact that specific concerns about AWB were raised in the September 2003 US Defense study and that that merely followed the Canadians, the United Nations and AWB officials when they became CPA officers? Deputy Prime Minister, haven’t you serially misled the House?

Mr VAILE—No.

HOWARD GOVERNMENT Censure Motion

Censure Motion

Mr BEAZLEY (Brand—Leader of the Opposition) (2.50 pm)—I seek leave to move the following motion:

That this House censure the government for continuing the cover-up of its role in the $300 million wheat for weapons scandal, its arrogance and abuse of power in directing public servants not to answer any questions about the scandal and its misleading of the parliament about all documents, including electronic files, being provided to the Volcker inquiry.

Leave not granted.

Mr BEAZLEY—I move:

That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition from moving forthwith:

That this House censure the government for continuing the cover-up of its role in the $300 million wheat for weapons scandal, its arrogance and abuse of power in directing public servants not to answer any questions about the scandal and its misleading of the parliament about all documents, including electronic files, being provided to the Volcker inquiry.

It is disgraceful, having shut down the Senate’s capacity to inquire into their malfeasance in relation to the wheat for weapons program, having failed to answer any of the questions we have asked of them in this place, that those opposite should have the hide to refuse a censure motion on this now. This is a cowardly government, a weak government, a government running for cover and using its power. This is an arrogant government, abusing its total power and scrambling to protect itself at all costs. The Prime Minister no longer believes he has to explain himself to the Australian people. This growing arrogance in the government is there because it thinks it is accountable to nobody. Any skerrick of evidence that might implicate the Prime Minister, Mr Vaile, Mr Truss, Mr Downer or, now, Mr Costello in the wheat for weapons scandal is now out of bounds. It is off limits, locked away. What an outrageous abuse of power.

The Prime Minister has corrupted the process to save himself and his guilty ministers. They, in the wheat for weapons scandal, are the guilty party. That is why this government will do anything to run and hide from questions on this scandal. They have arrogantly shut down every avenue of scrutiny available to the Australian people. What do you have to hide, Prime Minister? Australians can only assume that this cover-up that John Howard and his ministers are in means that they are in this scandal up to their necks.

Today, as the scandal breathes uncomfortably hot down their collective necks, this arrogant Prime Minister and his five know-nothing ministers shut down all parliamentary scrutiny. When we asked the Senate leader why he gagged officials, he said: ‘Be-
cause we’re in government and you’re not.’ ‘We can ride roughshod over the Australian people and their representatives because we are in government and they are not.’ When we ask the Prime Minister and his ministers serious questions, what do they say? ‘How would I know?’

This morning we had the unprecedented gagging of government officials—the servants of the Australian people now barred from answering questions at Senate estimates committee hearings. To prevent the now daily roll-out of more damaging, incriminating evidence, public servants have been ordered not to answer questions relating to the Cole inquiry. This is an arrogant government engaged in a deliberate, shameless cover-up.

The Prime Minister, in defence of himself, had a proposition back in 1989 that questions were not permitted of officials on a matter going to the cabinet—at that point of time, a limited, discrete area. It was a position that lasted for a short period. This is shutting the Senate out of this debate for the entirety of the Cole royal commission.

The SPEAKER—Order! I remind the Leader of the Opposition that this is a motion to suspend standing orders.

Mr BEAZLEY—Of course, Mr Speaker—to censure this government. The simple fact of the matter is that the Senate’s inability to ask the officials questions was not an inability imposed during the last Cole royal commission. Why? Of course, the government liked that royal commission. It was a royal commission into the unions. Why not? Because the government liked the idea that it could duckshove to someone else the blame for its incapacity to properly supervise financial markets.

The government had it all nicely set up. But the Cole royal commission shows all sorts of signs of going rogue on them as one piece of information after another comes before it—and it is why the government should be censured. We see that, for the Cole royal commission, out come the documents. ‘We met with the minister.’ Out comes another document: ‘I had a discussion with the minister.’ They are scared rotten that day by day in the Cole royal commission more and more of these hints of common knowledge inside the government about what was going on in AWB will come out. We get information from unusual sources. The last was a spectacular performance by the Prime Minister’s right-hand man in the Senate, Senator Heffernan, when he got up and said that for 2½ years he had been getting farmers, officials and all sorts of people coming to him to tell him how corrupt the AWB deals were in Iraq. That is what Heffernan used.

The point is this. We know that that information was coming into the government persistently and they turned a blind eye to it. You do not know where the AWB ends and the National Party begins. You simply do not know that. The AWB is the National Party overseas branch as far as its operations are concerned.

What is engaged in here is a disgraceful act of concealment. The Prime Minister has defended himself repeatedly on his limited terms of reference for the Cole commission by saying that Volcker had an opportunity to review all the matters before the government, all the documentation, and that he, Volcker, chose to make no findings on the government—he chose to make no findings on the government, but he made findings in relation to the AWB. That is an absolute lie.

The SPEAKER—Order! I again remind the Leader of the Opposition—

Mr BEAZLEY—I withdraw.

The SPEAKER—that the motion is for a suspension. It is not a motion for censure.
Mr BEAZLEY—It was an absolute untruth, which is why they should be censured—because that was an absolute untruth. That is one of the many reasons why they should be censured. When we asked whether or not electronic files had been passed to Volcker—wherein would lie the vast bulk of any of the considerations and information that the Department of Foreign Affairs and Trade had upon these matters—‘No’, said the Department of Foreign Affairs and Trade.

The whole logical edifice that the Prime Minister has built for constraining the Volcker inquiry’s terms of reference collapses on that answer alone. Volcker, despite what the Prime Minister said to the contrary, did not have all the information that was available from the Department of Foreign Affairs and Trade on the status of official and ministerial knowledge of this scandal before it broke.

The blind eye was matched with an active act of deception. The picture of scrutiny in this place we have now is this: you have the Cole royal commission with half terms of reference in relation to the government, not able to make findings as to the government’s activities with regard to the administration of its portfolios, not able to make a judgment about the state of knowledge, and making recommendations on that judgment in administrative terms—in terms of what the government did. You have Cole over there, nobbled to at least some degree. And then you have the Senate estimates committee process nobbled—for one reason only: the government has the numbers. The government got the numbers last July, and that means that that process of scrutiny—probably one of the most effective in the democratic world, the Senate estimates process—is now gutted for all time, gutted when it has an effect on where the government stands.

We are left with only one place where questions can be answered. They can be asked and answered here in this chamber. We have seen now for more than a week government evasion after government evasion, government half-truth after government half-truth, government untruth after government untruth in all the questions that we have asked of them. Nobody objectively listening to their answers could believe that the Australian people were being provided with the whole picture on this.

This is a massive scandal. It is not simply a question of the treatment of the opposition. It is a $300 million bribe handed to a person who became an enemy of this country, to be utilised for purposes including the possibility of weapons in hostilities with Australian serving personnel. Any decent government would have wanted to get to the bottom of this.

Mr Downer—We do.

Mr BEAZLEY—Any decent government would want to get to the bottom of this properly, unless of course they believed they were culpable. You, Prime Minister, are culpable on this. You have turned a blind eye, and the evidence is now in.

The SPEAKER—Is the motion seconded?

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

The SPEAKER—Before calling the minister I remind all members that they should address all their remarks through the chair.

Mr DOWNER (Mayo—Minister for Foreign Affairs) (3.01 pm)—First of all the government rejects this confected motion and the confected outrage of a struggling Leader of the Opposition. The reason we reject this is that not only is the opposition wrong in the assertions it makes—and it makes blind and outrageous assertions about people in the
government, including officials, diplomats, government ministers and the Prime Minister, being corrupt and it makes blind and outrageous assertions that we support terrorist attacks in the Palestinian territories in Israel—

Mr Danby—You gave them the money.

Mr Downer—and that the Australian government was funding the killing of American soldiers—but the whole of the Labor Party’s attack is built on a totally false premise. If the Labor Party had had its way, Saddam Hussein’s regime would still be in place, the oil for food program would still be going and the corruption would still be there.

Ms Gillard—Mr Speaker, I rise on a point of order. You asked the Leader of the Opposition to confine his remarks to the suspension of standing orders. I trust the Minister for Foreign Affairs will be required to do the same.

The Speaker—I thank the Manager of Opposition Business. I call on the minister to respond to the motion.

Mr Downer—The reason we reject this motion is that the Labor Party’s argument, amongst other things, is based on a totally false premise. The Labor Party’s premise is that somehow this government was in favour of paying kickbacks to a regime we wanted to get rid of. As if we would!

Mr Danby interjecting—

The Speaker—Order! The member for Melbourne Ports!

Mr Downer—As if we would want to pay kickbacks to Saddam Hussein’s regime, when we wanted to get rid of it. No-one in the Australian community would believe that.

Opposition members interjecting—

The Speaker—Order! The minister will resume his seat.

Ms Gillard—You could have let us move the censure motion if you wanted to debate that. Coward!

Mr Downer—Withdraw!

The Speaker—The Leader of the Opposition was heard in reasonable silence. The House owes the minister the same courtesy. Before I call the minister, I call on the Manager of Opposition Business to withdraw that remark.

Ms Gillard—I withdraw, Mr Speaker.

Mr Downer—After the fall of Saddam Hussein’s regime, the Coalition Provisional Authority came into place. The Coalition Provisional Authority did a number of things. Amongst those things was the beginning of a process of investigating how the oil for food program had been working within the context of Iraq. The point I make is a very clear one: if it had not been for the work of the Coalition Provisional Authority, which we indeed did support, then the Volcker committee would never have been set up. But what the Coalition Provisional Authority did was interview Iraqis and go through the documents of Iraq. It is because of that work that they were able to identify the way kickbacks worked in Iraq.

Mr Danby interjecting—

The Speaker—The member for Melbourne Ports is warned!

Mr Downer—There were 66 countries’ companies involved in this, including those of Britain, Sweden, Denmark, New Zealand and Canada. A raft of countries were involved in this and none of those kickbacks had been identified by either those governments or the United Nations. This country was far from unique, and those countries did not support kickbacks. That is not an assertion that we would make. The opposition would make that assertion, but we would not. Tony Blair did not support the 14 British
companies that paid kickbacks to Saddam Hussein’s regime. Is that the suggestion here? No. They did not. It was the work of the Coalition Provisional Authority that discovered the nature of the corruption which led to the establishment of the Volcker committee. We made it perfectly clear that we would be very happy to not just fully cooperate with but assist the Volcker committee.

Ms Gillard—With all the documents?

Mr DOWNER—We of course gave the Volcker committee documents that would assist them. We have no documents that show that the Australian government knew that the AWB was involved in kickbacks. We do not have those documents. Of course, that is increasingly transparent through the Cole process. Once the Volcker committee had completed its work, the Australian government established the Cole inquiry. Of the 66 countries I mentioned, over 2,000 companies were involved. Yes, the Wheat Board was at least allegedly a big transgressor. But, remember, 85 per cent of the contracts were contracts which involved companies from other countries.

The Labor Party’s assertion is that Tony Blair or President Chirac or Prime Minister Persson of Sweden were not involved in cover-ups but the Australian government was. This is oppositionism at its worst. This is oppositionism at its weakest. Of course, the opposition cannot produce any evidence that the government was somehow backing these kickbacks or had been involved in these kickbacks, because the government was not. The government was not involved in the kickback scheme. It was never the policy of the Australian government. It has never been the policy of this government and, for that matter, I believe going right back to 1901, it has not been the policy of any Australian government to support kickbacks. It is as simple as that.

The policy of the government was to support UN sanctions. The policy of the government was to support the oil for food program. That was the policy of all or nearly all countries in the United Nations.

Opposition members interjecting—

Mr DOWNER—The opposition interjects that it was the policy of the government to support wheat growers. It was presumably therefore the policy of the opposition to oppose wheat growers. Was it? Oh, no, that is silly. On the argument that the government has put forward, the interjections, therefore, fall.

I will make it absolutely clear: the Australian government did not know that the Australian Wheat Board was paying kickbacks. As it became increasingly apparent through the work of the Coalition Provisional Authority that a system of kickbacks had been in place, it was the policy of this government to support the United Nations’ endeavours to get to the heart of it, and we duly did. We provided the Volcker committee with everything that we could usefully find that would help them with their inquiries. If we had known about the kickbacks prior to the fall of Saddam Hussein and we had information that would have helped Volcker, we would have provided it to him, but we did not have the information.

The opposition’s argument is built around the proposition that we should have provided Volcker with information that we simply did not have. We were happy to help Volcker. The Prime Minister gave an instruction in writing that government departments and the government should support and assist Volcker. That was a standing instruction to all relevant government departments, and they duly provided that assistance.

The point here is that the opposition is trying to make an argument they tried desperately to make last week. The argument they
tried to make last week was the argument that the Leader of the Opposition put to the National Press Club: that somehow the government is corrupt and individuals in the government are corrupt. That is what he said at the National Press Club.

Ms Macklin—You knew!

Mr DOWNER—The Deputy Leader of the Opposition interjects that the government knew—that the government somehow knew that the Wheat Board was paying kickbacks and it thought, ‘Good, that’s a great thing for the Wheat Board to do.’ That is one of many very dishonest allegations that have been made against this government. The government has fully, generously and helpfully provided assistance to Volcker and, of course, now to the Cole inquiry.

At the end of the day, we will wait and see what the Cole inquiry comes up with, because Mr Downer made it very clear—contrary to what the Leader of the Opposition asserts—that it necessarily follows that the knowledge of the Commonwealth of any relevant facts is a matter to be addressed by this inquiry and is in the existing terms of reference in the letters patent. That means the role of the Department of Foreign Affairs and Trade in the process of obtaining UN approval and the knowledge of DFAT in relation to such contracts. So, if DFAT knew all about this, Mr Cole will certainly find out and that will be reported.

Before the Cole commission reports, these kinds of empty, puerile, party political allegations by the opposition deserve to be rejected. In moving these sorts of motions before the Cole commission reports, the opposition are showing quite clear disrespect to Mr Cole and his commission, as well as to the ministers, the Prime Minister, the public servants and the diplomats, all of whom have worked tirelessly. (Time expired)

The SPEAKER—In calling for a second, I remind members that this is a motion to suspend standing orders. Is the motion agreed to?

Mr RUDD (Griffith) (3.11 pm)—Today is the day that the Prime Minister’s credibility and the Deputy Prime Minister’s credibility have exploded in this place on the issue of the wheat for weapons scandal. The Prime Minister’s credibility has exploded, as he knows full well—and we can tell by the worried looks on the faces of his advisers—around this simple proposition: the Prime Minister has argued to this parliament and to the country for three months that, firstly, the powers available to the Cole commission of inquiry do not need to be widened, because the government got a clean bill of health from the Volcker inquiry; secondly, the Volcker inquiry made that finding because the Volcker inquiry had full cooperation with it; and, thirdly, the Volcker inquiry had access to full documentation from the Howard government. This is the essence of the Prime Minister’s argument as he escapes from the chamber.

The SPEAKER—Order! I remind the member for Griffith that this is a motion to suspend standing orders.

Mr RUDD—The Prime Minister repeated this three-part argument today in parliament. He said that there were no adverse findings by Volcker and that, if he had found anything wrong with what the government had done, the Prime Minister would have commissioned a wider commission of inquiry. That is his logic. Of course, that is not the first time the Prime Minister has said that. He said that formerly in parliament and we asked him to confirm it today. On 31 October, he said:

... having received in the case of Australia full responses and cooperation and full documentation, if there were anything lacking in the behav-
sion of Australia in relation to her obligations, the
Volcker inquiry would have so reported.
That is the government’s case as to why Mr Cole has narrow terms of reference. It rests entirely on the government’s Volcker de-
fence—

The SPEAKER—I remind the member for Griffith to come back to the motion.

Mr RUDD—which rests entirely on this critical assumption: that the government was honest in its statements to the parliament and the people that it provided full documenta-
tion to Volcker—and you did not. In Senate estimates, Senator Faulkner asked your offi-
cials whether the Volcker investigators were able to examine electronic files. The answer
given in Senate estimates was no. These were supplementary questions in Senate es-
timates—a formal answer on the part of the Commonwealth. Therefore, you did not pro-
vide full documentation. How therefore can you rely on your defence?

The SPEAKER—The member for Grif-

Mr RUDD—How can the government rely on the Volcker defence when it did not provide all the information to Volcker?

Mr Ruddock interjecting—

Mr RUDD—You know perfectly well, Attorney, exactly where this goes—

The SPEAKER—Order! The member for Griffith will address his remarks through the chair

Mr RUDD—and you do not like it.

The SPEAKER—The member for Gri-

Mr RUDD—Thank you, Mr Speaker.
Therefore, based on the Prime Minister’s argument and given that we now know that full documentation was not provided to Vol-
cker, and based on what he said to this parliament today, the powers of the Cole com-
mission must now be expanded. You can go nowhere else other than that. If the govern-
ment did not provide electronic files, it means they did not provide emails. Emails are part of electronic files. Therefore, you did not provide full documentation to Vol-
cker. We already know from the Cole com-
mission of inquiry how much critical informa-
tion is contained in email traffic. If the government’s entire defence is constructed on that premise, it has collapsed in this parliament today. That is the Prime Minister’s credi-
bility.

As for the Deputy Prime Minister’s credi-
bility, it has exploded around this single argu-
ment. The Deputy Prime Minister said that all previous warnings received by the gov-
ernment were not specific to AWB. You have said that warnings that were received by the Coalition Provisional Authority did not refer to the AWB by name. With regard to the Treasury document referred to in today’s press, the government’s response was that the AWB was not referred to by name. Deputy Prime Minister, this document by the United States Department of Defense does make a reference explicitly to the AWB by name. Your entire defence at this point col-
lapses as well. This document was referred to the Coalition Provision Authority by the US Department of Defense. You have senior rep-
resentation on the Coalition Provisional Au-
thority. It was therefore in the government’s possession. You have not denied that in ques-
tion time. As a consequence, as a govern-
ment you were in possession of documenta-
tion that warned you specifically of what the AWB was up to—the inflating of prices un-
der the oil for food program. For those rea-
sons you stand censured. (Time expired)

The SPEAKER—The time for the debate has concluded. Before I call for the question, I remind members of two points: first of all,
their remarks should be addressed through the chair and the use of the word ‘you’ is to be desisted from; and, secondly, a motion to suspend standing orders is not a motion of censure. And, particularly from the member for Griffith, I did not once hear him refer to the motion, despite being asked to. If this happens in the future, I will act on it. The question is that the motion be agreed to.

Mr McMullan—Mr Speaker, I raise a point of order. You just said that the time for the debate had expired, but the new standing order we passed last week provides for a further five minutes for another government member. We are waiting to hear.

The SPEAKER—I thank the member for Fraser for his point of order, but I remind him that the motion passed last week related to a matter of dissent, not a matter of suspension of standing orders.

Question put:
That the motion (Mr Beazley’s) be agreed to.

The House divided. [3.22 pm]

(The Speaker—Hon. David Hawker)

Ayes 58
Noes 83

AYES
Adams, D.G.H. Albanese, A.N.
Beazley, K.C. Bevis, A.R.
Bird, S. Bowen, C.
Burke, A.E. Burke, A.S.
Byrne, A.M. Corcoran, A.K.
Danby, M. * Edwards, G.J.
Elliot, J. Ellis, A.L.
Ellis, K. Emerson, C.A.
Ferguson, L.D.T. Ferguson, M.J.
Fitzgibbon, J.A. Garrett, P.
Georganas, S. George, J.
Gibbons, S.W. Gibbons, S.J.
Grierson, S.J. Hall, J.G.*
Hall, J.G. Hoare, K.J.
Jenkins, H.A. Kerr, D.J.C.

NOES
Abbott, A.J. Alston, J.
Andrews, K.J. Baird, B.G.
Baird, B.G. Barresi, P.A.
Billson, B.F. Bishop, B.K.
Bishop, J.I. Broadbent, R.
Brough, M.T. Cadman, A.G.
Causley, I.R. Ciobo, S.M.
Cobb, J.K. Costello, P.H.
Downer, A.J.G. Draper, P.
Dutton, P.C. Eatsch, W.G.
Farmer, P.F. Fawcett, D.
Ferguson, M.D. Forrest, J.A.*
Gambaro, T. Georgiou, P.
Haase, B.W. Hardgrave, G.D.
Hartsuyker, L. Henry, S.
Hockey, J.B. Howard, J.W.
Hull, K.E. Hunt, G.A.
Jensen, D. Johnson, M.A.
Jull, D.F. Keenan, M.
Kelly, D.M. Kelly, J.M.
Laming, A. Ley, S.P.
Lindsay, P.J. Lloyd, J.E.
Macfarlane, I.E. Markus, L.
May, M.A. McArthur, S.*
McGauran, P.J. Moylan, J.E.
Nairn, G.R. Nelson, B.J.
Neville, P.C. Panopoulos, S.
Pearce, C.J. Prosser, G.D.
Pyne, C. Randall, D.J.
Richardson, K. Robb, A.
Ruddock, P.M. Schultz, A.
Scott, B.C. Secker, P.D.
Slipper, P.N. Smith, A.D.H.
Somlyay, A.M. Southcott, A.J.
Stone, S.N. Thompson, C.P.
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Jull, D.F. Keenan, M.
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Laming, A. Ley, S.P.
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McGauran, P.J. Moylan, J.E.
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Elliot, J. Ellis, A.L.
Ellis, K. Emerson, C.A.
Ferguson, L.D.T. Ferguson, M.J.
Fitzgibbon, J.A. Garrett, P.
Georganas, S. George, J.
Gibbons, S.W. Gibbons, S.J.
Grierson, S.J. Hall, J.G.*
Hall, J.G. Hoare, K.J.
Jenkins, H.A. Kerr, D.J.C.

NOES
Abbott, A.J. Alston, J.
Andrews, K.J. Baird, B.G.
Baird, B.G. Barresi, P.A.
Billson, B.F. Bishop, B.K.
Bishop, J.I. Broadbent, R.
Brough, M.T. Cadman, A.G.
Causley, I.R. Ciobo, S.M.
Cobb, J.K. Costello, P.H.
Downer, A.J.G. Draper, P.
Dutton, P.C. Eatsch, W.G.
Farmer, P.F. Fawcett, D.
Ferguson, M.D. Forrest, J.A.*
Gambaro, T. Georgiou, P.
Haase, B.W. Hardgrave, G.D.
Hartsuyker, L. Henry, S.
Hockey, J.B. Howard, J.W.
Hull, K.E. Hunt, G.A.
Jensen, D. Johnson, M.A.
Jull, D.F. Keenan, M.
Kelly, D.M. Kelly, J.M.
Laming, A. Ley, S.P.
Lindsay, P.J. Lloyd, J.E.
Macfarlane, I.E. Markus, L.
May, M.A. McArthur, S.*
McGauran, P.J. Moylan, J.E.
Nairn, G.R. Nelson, B.J.
Neville, P.C. Panopoulos, S.
Pearce, C.J. Prosser, G.D.
Pyne, C. Randall, D.J.
Richardson, K. Robb, A.
Ruddock, P.M. Schultz, A.
Scott, B.C. Secker, P.D.
Slipper, P.N. Smith, A.D.H.
Somlyay, A.M. Southcott, A.J.
Stone, S.N. Thompson, C.P.
Ticehurst, K.V. Tollner, D.W.

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

PERSONAL EXPLANATIONS

Mr BEAZLEY (Brand—Leader of the Opposition) (3.27 pm)—Mr Speaker, I wish to make a personal explanation.

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

Mr BEAZLEY—Yes, I have been misrepresented.

The SPEAKER—Please proceed.

Mr BEAZLEY—I was misrepresented in question time by the Minister for Foreign Affairs. The Minister for Foreign Affairs said the position that I had adopted on Afghanistan—and he was referring to me personally, not simply to the opposition—was adopted because it was politically popular to do so. We adopt the position we take on Afghanistan for two reasons, and I adopt the position I take on Afghanistan for two reasons. That is not one of them; I do not know what the state of public opinion is on it. The position was that we regarded Afghanistan as ‘terror central’, with people there who had perpetrated attacks on the United States who had not yet been dealt with. The second reason is that, back at the time when the conflict first began, the United States alliance was invoked. We agreed with the invoking of the alliance. The work has not been completed in Afghanistan; therefore we support Australian support for its continuation.

PETITIONS

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

Workplace Relations

To the Honourable Speaker of the House and Members of the House assembled in Parliament:
The petition of certain citizens of Australia draws the attention of the House to the fact that Australian employees will be worse off as a result of the Howard Government’s proposed changes to the industrial relations system.
The petitioners call upon the Howard Government to adopt a plan to produce a fair industrial relations system based on fairness and the fundamental principles of minimum standards, wages and conditions; safety nets; an independent umpire; the right to associate; and the right to collectively bargain.
The Petitioners therefore ask the House to ensure that the Howard Government:

(1) Guarantees that no individual Australian employee will be worse off under proposed changes to the industrial relation system.

(2) Allows the National Minimum Wage to continue to be set annually by the independent umpire, the Australian Industrial Relations Commission.

(3) Guarantees that unfair dismissal law changes will not enable employers to unfairly sack employees.

(4) Ensures that workers have the right to reject individual contracts and bargain for decent wages and conditions collectively.

(5) Keeps in place safety nets for minimum wages and conditions.

(6) Adopt Federal Labor’s principles to produce a fair system based on the fundamental principles on minimum standards, wages and conditions; safety nets; an independent umpire; the right to associate; and the right to collectively bargain.

by Mr Laurie Ferguson (from 46 citizens)

by Mr Murphy (from 177 citizens)
by Mr Stephen Smith (from 262 citizens)

Workplace Relations
To the Honourable Speaker of the House and Members of the House assembled in Parliament:
The petition of certain citizens of Australia draws the attention of the House to the fact that the Howard Government has consistently refused to guarantee that no individual Australian employee will be worse off as a result of the Government’s proposed changes to the minimum wage.
The petitioners also draw the attention of the House to the fact that the Howard Government has opposed every minimum wage rise since it came to office in 1996, and if the Government had had its own way, Australian workers would be $50 a week or $2600 a year worse off.
The petitioners therefore ask the House to ensure that the Government:
(1) Guarantees that no individual Australian employee will be worse off under proposed changes to the industrial relation system.
(2) Allows the National Minimum Wage to continue to be set annually by the independent umpire, the Australian Industrial Relations Commission.

by Ms King (from 347 citizens)

Poverty
To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament
The Petition of the undersigned draws the attention of the House to:
The Make Poverty History Campaign and the opportunity this year to take new steps to halve world poverty by 2015. A child dies needlessly every 3 seconds, just because the child was born into poverty. WE BELIEVE that in the best Australian tradition of helping others help themselves, now is the time to join with other countries in an historic pact for compassion and justice to help the poorest people of the world overcome extreme poverty.
Your Petitioners request that the House should: Commit Australia to doing its share by delivering additional targeted measures on aid, fairer trade and debt relief.

Immediately increase Australian aid and ensure we reach 0.7% of GNI in aid, the United Nation’s target.

by Mr Billson (from 232 citizens)

Breast Cancer: Herceptin
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 a treatment available for some types of Breast Cancer.
• Some breast cancers test positive for a growth factor or protein called Her2. This Her2 tells breast cancer cells how to grow.
• A drug called HERCEPTIN stops Her2 from working, so the breast cancer cells stop growing.
• This means that Herceptin would help greatly in further reducing risk of future recurrence of breast cancer.
• However, Herceptin is NOT supplied on the Pharmaceutical Benefits Scheme (PBS) for all stages of breast cancer and incurs a cost of $66,000.00 for 1 year.
• This cost is prohibitive, meaning women either do not use this treatment, or they suffer tremendous financial hardships on top of their cancer struggle.
Your petitioners therefore humbly pray the House to include the drug Herceptin on the Pharmaceutical Benefit Scheme (PBS) for use by women at any stage of breast cancer who test positive to Her2.

by Ms Bird (from 1,020 citizens)

Commonwealth Emergency Relief Program
To the Honourable the Speaker and Members of the House of Representatives assembled in parliament:
The petition of certain residents of the Fairfield Local Government area draws to the attention of the House the good works and sincere efforts of Fairfield Community Aid and Information Service Inc in serving the community well for over thirty-six years. We point out to the House that
Fairfield Community Aid and Information Service Inc administered the Commonwealth Emergency Relief Program to relieve hardship and deprivation of residents in urgent need of assistance and that the allocation of some $267,442 representing the entire budget for the program in 2005/2006 has not yet been released to the community and many residents are suffering as a result.

Your petitioners therefore request that the House immediately direct the Federal Department of Family and Community Services to release into the Fairfield area the allocated funds of $267,442 for 2005-2006 so as to relieve the hardship being faced by so many in this community.

by Mr Bowen (from 550 citizens)

Whaling

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

The petition of certain residents of the State of NSW draws to the attention of the House that Japan and Norway have slaughtered more than 25,000 whales under the “Scientific Whaling” program loophole in the last 25 years. Japan’s new Antarctic proposal includes Sei, Fin, Sperm and Minke Whales, the equivalent of a massive commercial slaughter. By continuing to ignore the rulings of the International Whaling Commission (IWC) Scientific Committee, Japan is setting a precedent, which other nations could follow. Legal experts say that Japan needs to be taken to the International Court of Justice for abusing its rights under the MC Convention.

Your petitioners therefore request that the House to call on the government to take Japan to the International Court of Justice on behalf of our country and other smaller countries in the South Pacific who are impacted by Japan’s slaughter.

by Mrs Elliot (from 90 citizens)

Fuel: Prices

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

The petition of certain citizens of Australia draws the attention of the House to the fact petrol prices have risen beyond the expectation of many Australians and that this is having a negative impact on households, especially those in regional areas. The petitioners therefore ask that the Government:

(1) Reviews current excise arrangements and
(2) Empowers the Australian Competition and Consumer Commission (ACCC) to play an active role in monitoring petrol prices.

by Ms Kate Ellis (from 52 citizens)

Community Pharmacies

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

The Petition of citizens of Batman draws the attention of the House to the important role that community pharmacies play in the health care system. The petitioners call upon the House to ensure the Howard Government opposes the extension of pharmacies to major retail supermarkets. The petitioners also ask the House to note that a failure to do so would:

(a) Lead to the closure of many community pharmacies, the majority of whom are hard working small businesses;
(b) The loss of jobs among the 30,000 assistants currently employed in community pharmacies;
(c) Put at risk the 80 million free services provided by community pharmacies to the Australian community, many of who cannot afford the cost of going to the doctor due to the decline in bulk billing; and
(d) The reduction in training and career opportunities for people who have chosen pharmacy as their career.

by Mr Martin Ferguson (from 325 citizens)

Medicare: Belmont Office

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

We the undersigned request that the Government re-open a Medicare Office at Belmont as there is no Medicare Office between Charlestown and Lake Haven and there has been a drastic decline
in the numbers of General Practitioners bulkbilling.

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

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

by Ms Hall (from 52 citizens)

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

We the undersigned request that the Government take action to improve our health system by reintroducing the Commonwealth Dental Scheme.

The axing of the Commonwealth Dental Scheme was a direct result of a Howard Government decision and has caused great hardship to many local residents on low incomes particularly the elderly and those with young children.

Your petitioners therefore respectfully request that the House do everything in their power to reintroduce the Commonwealth Dental Scheme as a matter of urgency.

by Ms Hall (from 429 citizens)

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

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

- The unfair GST on funeral and pre-paid funeral services across Australia, leaving an unnecessary extra burden on Australian families - particularly the elderly;
- That the Federal Government’s unfair and un-Australian GST on funeral services is the equivalent to an insidious “death tax” - which is the last thing families need; and
- The costly economic and social implications that this insensitive tax is having upon vulnerable and disadvantaged Australian’s, with many families of loved one’s having to pay up to and between $500-$650 extra in unfair 10% GST on a funeral, whilst ceremonial costs alone, across the industry, are already exceeding the CPI (Consumer Price Index) and rising towards disproportionately high levels.

Your petitioners condemn the Federal Government’s contempt for vulnerable families and older Australian’s, and pray for the Parliament to remove this unfair GST on funerals and pre-paid funeral services across Australia by legislative amendment to the “New Tax System (Goods and Services Tax) Act 1999”, ensuring lasting tax relief for Australian families on an essential service, during a time of grief and emotional strain for affected families. Your petitioners recognize the need for immediate action.

We, the undersigned, respectfully pray that the House of Representatives will introduce a “GST-Free” legislative approach to funeral services across Australia, in the national interest, with legislative reforms aimed at benefiting Australian families.

by Ms Hall (from 1,008 citizens)

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

The petition of certain citizens of Australia draws the attention of the House to the fact that Australians should have basic rights at work, including decent minimum wages and awards conditions, protection from unfair dismissal and the right to reject AWA individual contracts and negotiate collectively with their employer.

The petitioners also draw the attention of the House to the fact that we oppose the Howard Government’s plans to:

- Remove employment conditions from awards.
- Change the way minimum wages are set to make them lower.
- Use individual contracts to undercut existing rights and conditions.
- Keep unions out of workplaces and reduce workers’ negotiating and bargaining rights.
• Abolish redundancy pay and protection from unfair dismissals for the 3 million people who work in small businesses.
• Reduce the powers of the independent Industrial Relations Commission to settle disputes and set fair minimum standards at work.
• Take away rights at with laws that unilaterally override and weaken State industrial relations systems, awards and agreements.

The petitioners therefore ask the House to ensure that the Government upholds Australians’ rights at work and does not implement these plans that we oppose.

by Mr Jenkins (from 28 citizens)

Telstra: Privatisation

To the Honourable Speaker and Members of the House assembled in Parliament:
The petition of certain citizens of Australia draws the following issues to the attention of the House:
• There is widespread concern that services and jobs will be cut back if the rest of Telstra is sold, particularly in outer metropolitan, rural and regional Australia.
• A fully privatised Telstra will focus on profits not people; shareholders will be more important than customers.

We therefore pray that the House oppose any further attempts by the Liberal Party and Nationals to sell Telstra.

by Mr Jenkins (from 20 citizens)

Whaling

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:
Certain citizens of Australia draw to the attention of the House:
Japan’s intention to seek an expansion of its whaling quota at the June meeting of the International Whaling Commission.
The Howard Government’s failure to protect the whale population in Australian waters despite laws passed by the Parliament in 1999 which gave it the power to do so.

Your petitioners therefore request the House to call on the Howard Government to:

(1) Take all steps to prevent an increase in Japan’s “scientific research” quota at the International Whaling Commission meeting to be held in Korea in June 2005.
(2) Take all necessary legal steps to enforce Australian laws creating an Australian Whale Sanctuary in the Southern Ocean and making it an offence to kill or injure whales in Australian waters.

Challenge the legality of Japan’s abuse of the “scientific research” exemption to the ban on commercial whaling by taking a case to the International Court of Justice.

by Mr Murphy (from 18 citizens)

Child Support Legislation

To the Honourable Speaker and Members of the House of Representatives.
This petition of citizens of Australia draw to the attention of the House an Amendment which should be made to the Child Support legislation.

Your petitioners therefore request the House:
To consider that payments made by non-custodial parents be based on a percentage of Net Income, not Taxable Income.

by Mr Neville (from 629 citizens)

Agriculture: Food Irradiation

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.
Their opposition to food irradiation and the building of the nuclear irradiation facilities, as well as the Electron beam irradiation facility proposed for North Queensland.

Your petitioners therefore request the House to:
• Prohibit the establishment of a nuclear irradiation facility or X-Ray or Electron beam irradiation facility at any location in Australia.
• Ban the import, export and sale of irradiated food in Australia.
• Call on the Australia New Zealand Food Standards Council (ANZFSC) and the Australian New Zealand Food Authority (ANZFA) to amend Standards A-17 and
1.5.3—Irradiation of Foods in the Food Standards Code to ban food irradiation outright in Australia and New Zealand.

by Mr Tanner (from 20 citizens)

Petitions received.

PRIVATE MEMBERS’ BUSINESS

Younger People in Nursing Homes

Mr TANNER (Melbourne) (3.31 pm)—I move:

That this House:

(1) notes that approximately 1,000 Australians under the age of 50 are living in nursing homes because they have a severe disability such as acquired brain injury;

(2) recognises that in most cases such accommodation is not appropriate, and that greater choice is needed for these younger people;

(3) acknowledges that as both federal and state governments are deeply involved in the aged care sector, both levels of government have a role to play in addressing this problem;

(4) notes that the Aged Care Innovations Pool has provided a small start to addressing the problem; and

(5) calls on federal and state governments to use the Council of Australian Governments process, and the current Senate Community Affairs Reference Committee Inquiry, as a basis for a combined effort to deal with this serious problem.

The motion that I have moved has been on the books for quite some time. It is something of a coincidence that it has arisen in the House today, very shortly after the COAG meeting on Friday, which took some timely steps towards addressing the problem that the motion refers to.

There are somewhere in the vicinity of 1,000 or so people—that is only a rough estimate; it could well be more—under the age of 50 who are currently living in nursing homes throughout Australia, and there are many more who are older than 50 but still well below the age of the typical resident in nursing homes. Of these 1,000 or so who are under 50, typically they are suffering severe disabilities. Many suffer from acquired brain injury and very severe brain injuries. They are often in very difficult circumstances personally and in terms of the care that they require.

The problem that this motion is designed to refer to is the fact that for many of these people—in fact, probably most—accommodation in a nursing home is inappropriate. They are typically housed with a very substantial number of people who are very advanced in age, often in their 80s or even 90s, people who by definition are dying in the nursing home, and sometimes fairly quickly. I think the average length of residence in a nursing home is something like six months, because of the very nature of the illnesses and disabilities that the older people who are in nursing homes tend to suffer from. Obviously the younger people who are in nursing homes in these circumstances have very different needs and very different requirements in terms of stimulation, assistance, care, and just the general emotional and physical environment within which they are accommodated.

What we have seen—until last Friday—has been a classic example of the failure of Australia’s antiquated federal-state structures and the inability of the two levels of government to cooperatively deal with a serious and growing problem. We have had hundreds of people effectively rotting away in nursing homes—people who could be much more appropriately looked after and cared for in more suitable accommodation—because of the fact that, as far as the Commonwealth is concerned, they fall under the category of disability and therefore belong to the states as a responsibility; and because of the fact that, as far as the states are concerned, they are in nursing homes and nursing homes are
essentially predominantly a responsibility of the Commonwealth.

The steps that were taken by the Commonwealth and the states on Friday I would regard as a welcome first instalment. Clearly we are not going to see an overnight solution to this issue, but the steps that have been taken, with a significant injection of additional funding, will be a welcome start. Small progress has been made up until now with things like the aged care innovations pool. The Victorian government, I note, is committed already to building a five-bed facility for young people who are currently in nursing homes. It is to be hoped that that commitment will be able to be expanded as a result of the COAG meeting.

I first became aware of the true magnitude of the issue—I knew of it as a general proposition, but I first became aware of the true difficulties involved—when I visited the Harold McCracken House nursing home in my electorate a number of years ago. That nursing home, by the way, is very soon to close because of the new requirements that are imposed on nursing homes. There I met Chris Nolan, who has become quite well known publicly as a person in this situation, a young person who tragically suffered an acquired brain injury that has left him unable to speak, communicate or look after himself. He is able to communicate to a small degree through blinking, and he does greatly appreciate music and still manages to battle against his disability. He has had a very difficult time being a resident of a nursing home. He makes friends who very shortly thereafter die. He and his family, carers and supporters have been long involved in this campaign. I commend their efforts, because it is people like them who have ultimately got this issue on the agenda nationally and got some action.

There has been a lot of publicity and a lot of rallying around people like Chris Nolan, and there have been many other examples that have been exposed in the media in my state and other states—some of them, perhaps, are people who are in an even worse position than Chris is. It is long overdue that we as a nation, the federal government and the states, show some compassion, some commitment and some commonsense, rearrange the way the federal government and states deal with these issues, get over the bureaucratic stand-off and ensure that those younger people who do suffer already extreme circumstances get treated fairly and decently. (Time expired)

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

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

Mr RANDALL (Canning) (3.36 pm)—I am pleased to speak on this motion today. I congratulate the member for Melbourne on bringing this motion to the House, because it is a concern to many members and senators in this government and parliament that we address the issue of young people in nursing homes. So congratulations to the member for Melbourne. Can I also say that in our party room I could not count the times that this issue has been raised with the Prime Minister: young people should just not be dumped, for want of a better term, in nursing homes because there are no other facilities for them. I would like to acknowledge the member for Riverina for her strong advocacy on this matter in our party room, other members that are present today and the member for Leichhardt, who is not here today.

To have young people with disabilities in nursing homes is an abomination; a nursing home is not a fit and proper place to have them. Even though a nursing home often has the appropriate infrastructure to offer suit-
able care to these people, it certainly does not address the specific case of someone
with a severe disability and perhaps even some form of mental health problem also.
We have heard and we are aware that currently in Australia today in aged care homes
there are something like 6,500 people under the age of 65 and 1,000 people or thereabouts under the age of 50. In nursing homes in Western Australia, which is the state I come from, there are 492 people under the age of 65 and 63 people under the age of 50.

I have endeavoured to ring the nursing homes in my electorate today to find out if any of them contain young people who could be accommodated better elsewhere. These nursing homes include Dale Cottages, Fairhaven Hostel, Armadale Nursing Home, Mandurah Nursing Home, Kelmscott River Gardens Aged Care, Sarah Hardy House, Beddingfield Lodge at Pinjarrah, Waroona Frail Aged and Anglican Homes in Westfield. To my knowledge, at this stage, no young disabled persons are in nursing homes in the Canning electorate.

I also put on record that one mum, who has been a strong advocate of the Adopt a Politician Scheme in Western Australia, was here in Canberra last Thursday, hanging on to the fact that we might spend more money and commit more resources to this problem. She has a son who is severely disabled and mentally impaired. She was here to see whether COAG would come up with further resources and funding. I am pleased to say—and, as the member for Melbourne said, it may or may not be a coincidence or perhaps his motion brought this to a head—that COAG met last Friday and decided to put far more resources, many millions of dollars, into this particular arrangement.

In Western Australia—and again I will be a bit parochial—$2 million is to be placed into a specific program there and it will be matched by the state. The Western Australian disability services minister, Minister Margaret Quirk, said, ‘The federal government’s promise today of $2 million will be matched by the state.’ She went on to say, ‘The Commonwealth is to be congratulated for recognising the need and making a further inroad into combating the problem of young people living in nursing homes in WA.’

Before my time runs out, let me point out that over the last three years the Australian government has offered aged care innovative pool pilot funding for states and territories to support the transition of younger people with disabilities from aged care and state and territory funded accommodation. To date, only Victoria and South Australia have taken up this offer. So, when some of the states bleat about the fact they have not had enough funding, there is this pool and so far only two states have taken advantage of it. But let us put aside all the Commonwealth-state argy-bargy. I am pleased to say that there is an agreement and both state and federal governments are happy with the response that there is sufficient funding at this stage.

Again—believe it or not—I agree with the member for Melbourne that at the moment this matter has been somewhat addressed. Investing in disabilities et cetera is like investing in a bottomless pit: you will never have enough money to address all the wants and needs that can and will be there. However, this is a great innovation from the state and federal governments coming together and seeing that a proper response is given to young people. These young people should not be in a nursing home; they should be in a fit and proper facility that accommodates and acknowledges their real needs. (Time expired)

Ms HALL (Shortland) (3.41 pm)—Firstly, I congratulate the member for Melbourne on bringing this motion to the par-
I believe that many members on both sides of this House have been concerned about this issue for a very long time. I find it hard to believe that in a country like Australia we can sit back and be satisfied with letting young people with disabilities rot away in nursing homes, as has been the case.

I think no issue has created more angst than housing young people with disabilities in nursing homes; such accommodation is inappropriate for them. The member for Canning has stated that people with disabilities can get suitable care in a nursing home, but I would put very strongly that they do not get suitable care in such homes. Their physical needs are taken care of, but ‘care’ is a lot more than just making sure that a person’s incontinence aids are taken care of and that a quadriplegic is treated medically. I argue very strongly that ‘care’ means ‘appropriate care’, which also relates to quality of life.

I know that many members of this House have been approached by the families of young people with disabilities and I find that heart wrenching. Some of those families are managing to sustain caring for their children in their homes but, as they get older and sicker, that becomes harder and harder. Recently, in my electorate, the mother of a young person with a disability, whom I know, died. In the period leading up to her death, the one thing that concerned this mother more than anything was that her precious daughter—her daughter was so precious to her—would receive the necessary appropriate care after her death. Luckily, a suitable home was found for her daughter—and it is not in a nursing home. She is one of the lucky ones. I also know that nursing home staff are very concerned about the fact that these young people do not get the kind of care and stimulation that they need.

I would very much like to acknowledge that the COAG agreement last week is a very positive step forward; $24 million over five years to ease the crisis of young people in nursing homes is a good step forward. Another positive step is the fact that the states and the Commonwealth are working together. This will end the blame game. I do not think anything can be gained by federal members of parliament blaming the states and by members of the state parliaments blaming the Commonwealth. There are some things that we really need to work together on, and I believe that this can act as a model for other areas. It is a recognition that both the states and the Commonwealth have a responsibility to these young people. It is a small step, but more is needed.

I note that a report was leaked on 10 February, ahead of the COAG meeting. It commented that expectations will need to be carefully managed and public presentations will need to clearly state objectives that accurately reflect the likely outcomes of a CAP program. This leaked document goes on to say that expectations should not be raised. That is because only one out of every six young persons in a nursing home will benefit from this program.

I think we have to do better. It is the first step, but our young people who are in nursing homes certainly deserve a lot more than they have had in the past and a lot more than has already been agreed to by COAG. I have worked with people with disabilities, and I know that at certain times the only appropriate housing for young people with disabilities is in a nursing home—appropriate in terms of medical care but not in terms of the quality of life they live. (Time expired)

Mrs May (McPherson) (3.46 pm)—There is nothing more disturbing for me as a member of parliament than to spend time with an elderly mother who has the task of
caring for a disabled adult son or daughter without adequate resources or support from government or the community. Each time I meet with one of these mums or dads, the most common question asked of me is: where can my child receive the care they require when I am gone? That is a question I cannot answer, because to date there is no answer.

These cries for help are not being heard. Some of the cases I am aware of in my own electorate and within the Gold Coast city are heart-rending and desperate situations—parents who are suffering social isolation and economic hardship, parents whose own health and wellbeing are being compromised because they do not have the respite or support they need to carry out an often 24-hours-a-day, seven-days-a-week job caring for a loved one who has a severe disability such as an acquired brain injury. Time and time again families tell me that they will have to place their young son or daughter into the care of a nursing home, a totally unsuitable outcome and a decision that is devastating for the family. But, unfortunately, it is often the only decision they can make. There is no other alternative.

Nursing homes play an important role within our communities, but these facilities are designed and built for the elderly, the staff are trained to care for the elderly, the programs delivered in them are for the elderly, the services are geared for the elderly and the overall environment is geared for the needs and wants of the elderly. The needs and wants of the elderly are very different from those of younger members of the population, especially those with a disability. Many young people with a disability have a normal life expectancy, which means that under current arrangements they could live in an aged care facility for 50 years or so. This state of affairs cannot be allowed to continue. Placing young disabled Australians in facilities that were never intended to support them, without the support services they need to maintain their health and independence, is unconscionable in anyone’s language. We are an incredibly fortunate society, but if we continue to lock away young people with disabilities in nursing homes I believe that as a society we will become poorer and weaker. Younger people’s needs and wants are different from those of older people. There is clear evidence that a young disabled person locked away without the support services they need will experience a deterioration in their health and independence that will result in increased hospitalisations and added health costs.

We have an army of devoted ageing parents living in our communities without adequate support services and caring for disabled adult children. These parents are tired. The burden on these carers is high, and the stress on their marriages and the other siblings is high. As a disabled child gets beyond adolescence, they grow heavy to lift; just the physical effort of caring places enormous strain on carers. Some parents have said to me that they would just love a weekend away to have uninterrupted sleep or to have the chance to have a meal out or just an evening socialising with friends. It is not just that the disabled child lives in isolation; it is my experience with some of these families that they also live in isolation. They live in social isolation because their child cannot be left alone and, in many cases, cannot be taken out because of unacceptable social behaviour.

The National Alliance of Young People in Nursing Homes believe that the solutions are simple and straightforward. In their submission to the aged care inquiry in 2005, YPINH said that we do not need more scoping studies to establish the nature and extent of the problem. They maintain that we know the problem exists, what it encompasses and that
it will get worse. There are community based supported accommodation options that are successful in bringing young disabled people out of aged care and back to living in the community. YPINH maintain that we simply need more of these options to enable young people and their families to have a choice about where they live and how they are supported.

However, extending the range of options relies on two key factors. The first is the political will to solve the problem. The second is the establishment of a dedicated funding stream that young people and their families can draw down to develop the accommodation and support services they need. It is time both levels of government stopped playing politics, accepted joint responsibility for the problem, got on with finding a coordinated and integrated solution and moved young people from aged care facilities to community based living arrangements.

That first step happened at last Friday’s COAG meeting, when state and territory governments agreed with the Prime Minister’s proposal to jointly fund and develop a $244 million program. This was a great outcome from the meeting which will hopefully reduce the number of young people with a disability living in an aged care facility. I commend the member for Melbourne and all members in this House for bringing this motion to the attention of the House and for speaking today.

Mr BRENDAN O’CONNOR (Gorton) (3.51 pm)—I rise to support the motion moved by the member for Melbourne. It is a timely motion and it anticipates the discussions held at the COAG meeting on Friday where a decision was taken to at least address in a modest way some of the concerns of families who have had to place their younger family members into care and, indeed, into what many would argue is inappropriate accommodation. As the member for McPherson just indicated, there is a concern amongst many families about the future of their young children with severe disabili- ties. I have certainly met with parents who have been or are the primary carer of a child or children with severe disabilities. They are concerned about what will happen after their death to their children and, in particular, to attending to their children’s needs.

The motion moved today is about addressing the concerns of people under the age of 50 who find themselves accommodated with much older recipients of care. The motion, I think quite rightly, seeks to have both federal and state authorities and governments redress this problem of inappropriate accommodation. As has been indicated by other speakers in this debate, 6,000 people aged less than 65 years are living in residential aged care. About 1,000 of these people are aged less than 50 years. So clearly there are many who should not be placed in this area of accommodation; there should be greater efforts made by federal and state governments to rectify this problem.

As a result of the new Commonwealth State Territory Disability Agreement, from July this year the Australian government and the states and territories will provide matched funding of up to $244 million to jointly establish a capped five-year program managed by the states and territories. The funding will aim to, amongst other things, provide age appropriate care for younger people with disabilities currently in residential care and reduce the overall number of people in residential aged care. The program will focus first on people aged less than 50 years in residential aged care. Other people with disabilities inappropriately accommodated in aged care will also be eligible under the program as well as people at risk of being placed inappropriately in aged care residences. Any move will be voluntary on the
part of the younger person. The Australian government has responsibility for aged care services while under the Commonwealth State Territory Disability Agreement, signed by all jurisdictions, states and territories are responsible for accommodation support. The activities that will be funded include assessment of care needs for younger people with disabilities, negotiating and providing appropriate alternative long-term care options, monitoring program outcomes and sharing information between the jurisdictions.

This program announced last week is certainly an improvement upon the current arrangements. However, it is clear that it is not enough to address the systemic problems of accommodation of younger people in nursing homes. The fact is that, at best, one in six younger persons will find themselves placed in better accommodation as a result of this program. So a lot more has to be done by both federal and state governments to attend to this awful situation in which families can find themselves in having to make a decision as to whether they can continue to care or be the primary carer for their children with severe disabilities on the one hand and whether they can trust the accommodation that is currently provided and available to those younger people with severe disabilities on the other. It is a difficult dilemma and one that would be removed if governments at both federal and state levels collaborated properly and attended to those deficiencies in the current accommodation arrangements.

(Time expired)

Mrs HULL (Riverina) (3.56 pm)—I rise to support this private member’s motion today. I congratulate the member for Melbourne for putting it up, and I also thank the member for Canning for acknowledging my ongoing contribution to trying to resolve this issue within our party rooms. When I was first elected seven years ago there was a young lady who was most distressed because her husband had a serious acquired brain injury and was in a nursing home. She was divorced or separated from that gentleman and she was unable to care for him because of the difficulties his injury had inflicted. She came to me needing some sort of assistance because the nursing home had decided that he had to come home. She had two little children. There was no way she could cope with what was going to be required on a 24-hour, seven days a week basis. It was then that I felt absolutely helpless and hopeless because I had no answers for her. There was nowhere for her former husband to go other than into a nursing home. She had enormous guilt as well about this issue.

I have been commenting on this, trying to get it resolved and working with various ministers ever since to try to get some sort of answer. As our advanced technology saves lives that maybe would not have been saved many years ago due to the lack of technology, we are now finding ourselves with an ever-burgeoning problem for families and those afflicted with illness and also acquired brain injury syndrome. This is not going to go away; it is just going to get bigger and bigger. As our technology advances, we are saving lives—that is fantastic—but we also have some very critical care needs as a result. So we as a nation have to take responsibility. It is not a state issue and it is not a federal issue; it is an Australian issue. It is an issue for all Australian people.

We now have around 100 people under 60 in nursing homes with multiple sclerosis. They may have really well-tuned, snappy, sharp minds and are alert, but their bodies have unfortunately been inflicted with multiple sclerosis. Families are unable to care for their needs on a 24-hour basis due to work and family requirements and they find that there is nowhere for them to go. There are another 300 or so at risk of entering nursing homes on any given day because of the lack
of support services. It is predicted that there will be around 10,000 young people in nursing homes by 2007 if the current rate of entry is maintained.

So there is a definite need for collaboration between the states and the Commonwealth, but it has to be meaningful—we have to have actual answers. There is a critical need for co-location of facilities. At the moment there are many. It is quite appropriate that the services that are provided in an aged-care facility might be extended to those young people in nursing homes, but they should be in a stand-alone facility.

Aged-care providers should have a pool of funding that they can apply for to build stand-alone facilities, but they should be able to co-locate those to utilise the medical supervision that is required for some young people in nursing homes. In that way we can adequately cope with a reducing workforce. But those stand-alone facilities should have separate entries and separate rehab and care programs that are specifically designed for young people and that are geared towards assisting them into supported accommodation programs. We must urgently provide accommodation options. Working as a team with the states is imperative. (Time expired)

The DEPUTY SPEAKER (Mr McMillan)—Order! The time allotted for this debate has expired. The debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting. If the member for Riverina wishes to continue speaking when the debate is resumed, she will have leave to do so.

Intercountry Adoption

Mrs BRONWYN BISHOP (Mackellar) (4.01 pm)—I will move the motion relating to intercountry adoption in the terms in which it appears on the Notice Paper, but I intend to read it because I think it outlines the urgency of what needs to be done. I move:

That this House:

(1) recognises that Australia’s rates of inter-country adoption are significantly lower than leading western nations;

(2) notes that the Commonwealth should take the primary role in managing Australia’s external relations in inter-country adoptions;

(3) recognises the role that non-government organisations should have in managing inter-country adoptions in Australia; and

(4) notes that parents of children adopted from overseas have less access to benefits and entitlements than the rest of the community.

In speaking to the motion, I want to record how pleased the Standing Committee on Family and Human Services is with the way that the report has been accepted in the community at large. The committee is particularly pleased with the way that the government is beginning to respond to the report.

The Attorney-General’s Department, it has been agreed by the Department of the Prime Minister and Cabinet, is to be the lead agency to coordinate the government response. In its background notes, the Attorney-General’s Department says that the recommendations of the committee, taken as a whole, create a blueprint for systematic change in the way that adoptions of children from overseas are handled. It recognises that there can be a lead time, because some of these policies will be new policy, requiring new money.

There has been, I think, speed in the way the Attorney-General has acted. On 9 February this year he convened a meeting of all relevant agencies to consider the report with a view to developing advice on the substantive recommendations. On 10 February, the Attorney-General’s Department convened an out-
of-session meeting of the state and territory adoption central authorities to consider the report. Considering that we only formally tabled this report in the House on 5 December last year, for the government to respond that quickly is really commendable.

The unanimous views of all committee members, both government and opposition, showed a forceful resolve to see that something is done about the small number of adoptions—only 400—from overseas that occur here. There is a need for a non-government agency to be involved in the adoption process and be properly funded—by the Commonwealth. That peak body should then look after bodies in the states for individual funding. We believe that the culture of antiadoption that exists presently in the bureaucracy is one that has to be broken, and that, by accepting the recommendations that we put in our report, this can occur. We were quite stunned to find that the culture of bureaucracies, at both state and federal level, was an antiadoption culture.

Our recommendations—there are 27 of them in all—cover nine separate ministries. Attorney-General’s is the main one, because it is there that the starting point will rest—and that is to renegotiate the agreement between the Commonwealth and the states as to who manages the agreements with overseas countries to enable overseas adoptions to take place. We want a harmonisation of what goes on between the different states: they have different standards, different fee structures and different prejudices against would-be adopting parents. As I said, the nine departments involved are: Attorney-General’s; Education, Science and Training; Employment and Workplace Relations; Family, Community Services and Indigenous Affairs; Human Services; Foreign Affairs and Trade; Health and Ageing; Immigration and Multicultural Affairs; and the Treasury—but the lead agency is the Attorney-General’s.

We believe, fundamentally, that adoption is a legitimate way of creating or adding to a family. Overseas adoption gives children from another land an opportunity in this land, where they should be treated equally, as biological children are treated, under the law, and that means federal law as well. So it is quite within the purview of the government and the states to change certain laws straightaway. New policy, we understand, may take longer in that it needs new funding. (Time expired)

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

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

Mrs IRWIN (Fowler) (4.06 pm)—The Standing Committee on Family and Human Services reported to the House last November on its inquiry into adoption of children from overseas. The committee made 27 recommendations and a number of those recommendations are included in this motion. As I have now had two opportunities to speak on the report—one in the House and also in the Main Committee—I will use the time in the debate on this motion to look at the potentially greater role for the Commonwealth to play in intercountry adoption.

While the committee heard many complaints against various state agencies, pointing at difficulties faced by parents seeking overseas adoption, the states’ responses could be summed up in the remarks of the New South Wales Department of Community Services, which said:

In New South Wales, we wish to return to a situation where the primary focus of our social work resources is on assessing and supporting the 105,000 children who are the subject of 216,000 risk of harm reports every year in New South Wales. That is what we need to focus on ... New South Wales does not consider it to be appropriate to deploy scarce casework resources to nego-
tiate and administer a plethora of intercountry adoption agreements ...

New South Wales also concluded:

... it would be more appropriate and efficient for the commonwealth to assume responsibility for management of the intercountry adoption program.

This view was supported by adoptive parents. Mr Cec Pedersen, a former Vice-President of the International Adoptive Families of Queensland, outlined the need for the Commonwealth to take the primary role in managing Australia’s external relations in intercountry adoptions. Mr Pederson told the committee:

The area of adoption generally, but in particular intercountry adoption, is a very complex one. It is not a simple matter of procuring children from relinquishing countries. There is a very complex set of relationships. Most of the countries are very embarrassed about the fact that they cannot care for their own children. We see over the last couple of decades that a change of government in a country will also result in a change in policy. For example, Romania, with a change of government, made a decision that, instead of relinquishing children, they would care for them internally.

The sensitivities that are involved, I believe, are much better handled—the relationships are much better handled—by the foreign minister as part of the portfolio of discussions that they have. In some instances it may be that foreign aid is the most appropriate way of supporting children. Although I am an adoptive father, I have a very strong belief that the ideal situation is to care for the kids in their own country and culture; reality is something quite different. In some instances, foreign aid may be the preferred way to go. In other instances it may be sponsorship programs—whether or not that is for education or health reasons. In others, it is the facilitating of the adoption. I believe that, out of all the departments, the foreign minister has probably the best capacity to have those sensitive discussions at senior government to senior government ministerial level. The states do not have the resources and I do not believe they have the capacity to be able to have those discussions.

The frustration being felt by so many adoptive parents is understandable when you consider the following statement given to the committee by one state adoption official. As deputy chair of the committee I was absolutely appalled by this statement:

Parents have an agenda. They are desperate people and they believe it is their right to be able to do this, and it is not. No one has the right to adopt a child. You can have an altruistic view that we are a global society and we should be looking after all our children, and that is great. And we do it successfully, but we also make sure we do it damned right.

I say to that state adoption official: you do not have to carry a child from within; you do carry that child from the heart. When this is the mind-set faced by adoptive parents, clearly there is a need for the Commonwealth to take a greater role in overseas adoption. With a sensitive understanding of the culture and political climate of relinquishing countries, the Commonwealth is far better placed to facilitate and regulate overseas adoption.

Mr Michael Ferguson (Bass) (4.11 pm)—I rise also to speak to this motion this afternoon because I have been a supporter of reform in the area of overseas adoptions since I was first elected. I strongly believe that suitable Australian couples willing and able to welcome a child who does not have parents into their home deserve the support of the community, deserve less red tape and deserve less obstruction in the way of government fees. The report by the House Standing Committee on Family and Human Services on the inquiry into adoption of children from overseas makes some crucial recommendations. Today I would like to address some of these and give my support.

Recommendation 3 calls for a greater harmonisation of laws, fees and assessment practices by the Commonwealth when it renegotiates—as I hope it will—the Common-
wealth-state agreements. There are substantial fees imposed on couples who wish to adopt a child. I believe it should be financially much less burdensome. Among the fees are expenses for application, travel and assessment, including medical and police checks. If applications are approved, there are further fees. In my home state these amount to something like $2,100, which, I have to say, as high an amount as it is, is the lowest in Australia. Elsewhere it can be as high as almost $10,000. Other fees that are levied for overseas adoption include a charge by the Commonwealth of around $1,300. Overseas programs that are responsible for the processes in the child’s country of origin also charge fees which can amount to tens of thousands of dollars.

Recommendation 9 of the inquiry report asks for the removal of the age limit for adopted children’s eligibility for the maternity payment, as long as a claim is made within 26 weeks. Similarly, recommendation 10 calls on an amendment to the eligibility criteria for the maternity immunisation allowance for children adopted overseas, so that the period is two years after the child’s entry to Australia.

These recommendations make sense. Why? Because both the accepted tradition of adoption and state law say that an adopted child is regarded as though he or she had been actually born to the parents. So if the law sees no difference on rights or status then so should regulations concerning payments and financial support. Couples who do wish to adopt a child from overseas have to go through what I have to say is a sometimes difficult and always emotional process. It is these people whom I would like to speak on behalf of today.

The latest edition of the Australian Institute of Health and Welfare’s report Adoptions Australia, published in December, shows that 434 overseas adoptions occurred in 2004-05. Eighteen of these adoptions were in my home state of Tasmania. This is quite encouraging, because it has processed some five per cent of all intercountry adoptions and has just 2½ per cent of the population. It is so good to see Tassie kicking above its weight. The children adopted to Tasmania last year came from the Philippines, China, Ethiopia, India, South Korea and Thailand; and I know of a couple working right now on an adoption application for a child from Eritrea. I have been in touch with several adoptive parents in Northern Tasmania who have shared with me their stories. Often these have been stories speaking of many hardships and obstacles which have been in some cases overcome. In other cases, they have been too much.

If we as Australians want to encourage members of our community to provide new and loving homes for orphaned children then we need to look at how this is being frustrated. I would today like to praise the committee for its willpower, thoughtful consideration and, of course, the work that was necessary to produce this fine report. I am inwardly proud to have raised this issue in parliament in March last year, when I moved a private member’s motion on overseas adoption in terms similar to those we are discussing right now. As part of that motion I called on the Australian government to examine how it can better support families who have adopted children either within Australia or without. I also called on state governments to immediately review their excessive fees. I hope and expect that both the Commonwealth and state governments will now act on these recommendations and work together for the benefit of Australians who want to pursue the selfless act of adoption. I commend this motion to the House in the interests of Australian families—our promotion of one of the most touching forms of
overseas welfare, and future young Aussie children who may not share the same skin colour or eye colour as their new parents but will share a love and affection that only a family can offer. (Time expired)

Mr QUICK (Franklin) (4.16 pm)—About 12 weeks ago this excellent report, Overseas adoption in Australia, was tabled in this parliament. It contained 27 excellent recommendations and was a labour of love by members of the House of Representatives Standing Committee on Family and Human Services. Members of the committee and, more importantly, families who adopted children from overseas and those currently awaiting approval to adopt children are waiting with bated breath for the government’s response to this long awaited report. I was delighted to hear a few moments ago the honourable member for Mackellar’s statement that the various federal ministers are working to ensure that our recommendations are addressed as quickly as possible. One hopes they also will look at our other excellent report on substance abuse, which has been shelved.

Australia prides itself on being egalitarian, warm hearted and responsive to crises that affect the lives of young children in so many basket case African countries and neighbouring countries in our region. The tsunami crisis saw Australians donate money, materials and expertise on an unprecedented scale. The plight of the countless orphans in Indonesia alone tugged at the heartstrings of so many families here in Australia. I think this was especially so for those Australian families who have made that special sacrifice and adopted children from overseas.

As I said, last December those of us who proudly serve on the House committee spoke on this excellent report. The report highlighted the antiadoption ethos and stance long espoused by state departments responsible for the health and welfare of children. This antiadoption ethos surprised all members of the House committee as we travelled throughout the length and breadth of our country taking evidence. It goes a long way to explaining why Australia’s rate of intercountry adoption is significantly lower than that of leading Western nations. I think it is something that we should be ashamed of and embarrassed about. It is interesting, as we debate this private member’s motion—and I thank the honourable member for Mackellar for raising the issue and giving us another opportunity to debate it—that everyone in this House is considering their conscience and how they are going to vote on an issue relating to the lives of young children. One would hope that this excellent report does receive the interest, the introspection and the follow-up it deserves not only from the various ministers who are in a position of authority at the moment but from all members of the House.

I honestly believe our low rates do not reflect a lack of interest and enthusiasm for intercountry adoptions. Rather, the opposite is the case. I would like to express publicly my deep appreciation to and admiration for those families who have gone through the tortuous process that is intercountry adoption. In my December speech I highlighted many of those, and if you read the report you will with some amazement read of the hoops that people are forced to jump through. At our hearings committee members saw first hand the children adopted from many countries. We heard not only from their parents but more especially and occasionally from the children themselves. On the back of the report is the delightful statement from Amee, who appeared:

I am thankful to be here because when I went back a couple of years ago to Ethiopia I saw all the poverty over there. It opened my eyes. I am grateful to have an education, and that I am
healthy and I can grow up, because over there the life expectancy for women is only about 38 ... I know that here I can live a healthy and prosperous life, so I am grateful for that.

I am grateful to Amee for telling us that story. I have seen first hand both sides of this issue. I have heard evidence from loving Australian families and I have visited the China Centre for Adoption Affairs in Beijing and met the wonderful people who work over there processing the 10,000 applications a year. I have also had the pleasure of walking in Tiananmen Square and meeting adults from various countries who are proudly showing their Chinese children the heritage and culture of that wonderful country. I had the temerity to go up and ask, ‘Have you adopted a child?’ They stood out as Anglo-Saxons either from Australia or European countries, with their Chinese children in their strollers. I told them who I was and what I had been involved in, and they proudly told me of their love of China and their ability to adopt these young children. All I can say is: for goodness sake, in the spirit of cooperation, let us have a Commonwealth-state response to this issue. (Time expired)

Mr TICEHURST (Dobell) (4.21 pm)—I too wish to speak on the report of the House of Representatives Standing Committee on Family and Human Services titled Overseas adoption in Australia. Firstly, I congratulate the member for Mackellar for her unwavering commitment to unravelling the complex laws on overseas adoption. I would also like to thank the people who summoned the courage to contribute to the inquiry and share with the committee their difficult, and often painful, experiences. The resulting recommendations, if implemented, will strengthen our country’s overseas adoption programs. They will also provide a legitimate and more efficient way to give a loving family environment to children being adopted from overseas.

It is natural for families, and childless couples in particular, to want children. There are increasing numbers of couples in Australia and other advanced countries who want children but cannot have them by natural means. At the same time, the number of young children available for adoption in Australia is rapidly falling. Overseas adoption is a legitimate way of forming Australian families. Why is it then that a successful multicultural country like Australia has a rate of overseas adoption that is a small percentage of the average for Western countries? With around 370 intercountry adoptions last year, Australia ranked second last out of a number of advanced Western countries. Yet there are 5,000 Australian couples who want to rescue children in China, Kenya and Ethiopia from terrible plights. They want to save them from a life of begging, stealing, starvation, drug addiction and even child prostitution.

The committee found that these couples are being stopped by a system that believes adoption is unfashionable. A general lack of support for adoption—both local and intercountry—was evident in most of the state and territory welfare departments responsible for processing all adoption applications, the report found. The lack of support ranged from indifference to hostility. Parents wanting to adopt said they got the feeling that they were trying to do something that was wrong. People wanting to adopt are subject to long waiting lists, and the length of time required for approval is a direct result of the low priority given to overseas adoptions. State and territory intercountry adoption units are also underresourced. This contributes to the long queues for those seeking intercountry adoptions.

The lack of resources and support is part of the wider story of adoption in Australia generally. Following the unsympathetic adoption practices between the 1950s and
1970s, policy has focused on biological links above all else. Basically, because of the flawed forced adoption policies of Australia’s past, state government bureaucrats are opposing many adoptions. This has led to tens too many children being placed in foster care when adoption could well have been more beneficial for them.

The committee found that the Commonwealth has been very hands off in its approach to overseas adoption despite its central authority status. The report’s recommendations require renegotiating the 1998 Commonwealth-state agreement to improve state and territory practices, and a more active role for the Commonwealth. The committee seeks better harmonised, more efficient and more accountable processing of applications for intercountry adoptions at the state level and gives the Commonwealth greater responsibility for developing overseas adoption programs. The committee is also keen to see properly trained and resourced accredited bodies help process adoption applications to fast-track the system.

The committee found that the plummeting number of adoptions could be reversed by increasing the number of countries from which people could adopt and having a more consistent approach. To assist adoptive parents, inconsistencies between the entitlements provided to families for biological and adopted children need to be removed. A standout feature of the inquiry for members was the overwhelming love of adoptive parents for their children and their pride in them. I would like to again thank the parents of adopted children and the adopted children that took the time to address the inquiry.

The committee sincerely believes that the implementation of these recommendations will strengthen our intercountry adoption programs. These reforms will without doubt be in the best interests of the most vulnerable people in society—the children—who will face a promising future in a loving Australian family.

Ms GEORGE (Throsby) (4.26 pm)—In the few minutes that are remaining in this debate on the report of the House of Representatives Standing Committee on Family and Human Services titled Overseas adoption in Australia, I begin by thanking the chair of the committee, the member for Mackellar, for her oversight of the hard work of this committee, together with the hard-working secretariat attached to the committee. One thing that is interesting about our work in parliament and that is often not seen by people outside this building is the fact that on many issues there can be bipartisan conclusions reached on issues that transcend party political positions. I was a member of the committee that looked into this issue of overseas adoption, and I must say that I learned a lot from it. I think we all look forward to learning as we go along—on a range of issues on which previously we may have had no particular expertise.

As with other inquiries that I have been on that have led to bipartisan recommendations—like the committee that produced the very memorable report Every picture tells a story, which is finally coming to be debated in this parliament in a bill that will be introduced this week—I want to commend all the members of the committee for really delving into an issue that hitherto had remained largely hidden from to public scrutiny. I myself was incredibly surprised at the massive decline in adoptions that has occurred in our country, particularly adoptions within Australia. Local adoptions dropped from a peak of over 9,000 back in the 1970s to only 73 in 2003-04. Yet, as we all know, there are tens of thousands of children in foster care and other forms of out-of-home care. When I read stories about the plight of some of these children, I sometimes wonder whether they
would be better off having a secure adoptive family relationship in which to live.

In the course of our inquiry we uncovered a culture that has been very anti-adoption. There are a number of reasons for this, but it seems that today adoption is not seen as a positive means of adding to a family and family formation. That cultural attitude, which is expressed at the level of a number of bureaucracies, is the wrong attitude. There are many people in Australia who would willingly open their homes to many children suffering very poor circumstances, with no hope of adoption in their own home countries.

There are currently about 300-400 overseas adoptions each year in Australia. But when we look at how we fare compared to other countries, the statistics say it all. Our per capita rate of adoption is less than one-third of the rate of most First World economies. I will give just one example. In 2003-04, there were 370 overseas adoptions in Australia, compared with 1,109 in Sweden, a country that has less than half of Australia’s population. We can see that there is something really amiss in the processes that lead to an outcome where Australia is faring so poorly compared to Sweden and where it has, as I say, only one-third of the adoption rate of most First World economies.

The recommendations that come from this committee address the reasons for this poor performance on the part of Australia and recommend ways in which the federal government can take a more proactive role as a signatory to the Hague convention and can renegotiate the Commonwealth-state agreement to provide better outcomes in this very important area. As the member for Mackellar rightly says in her resolution before the parliament, there are no reasons why children in adopted situations ought to be treated any differently from biological children in terms of access to benefits and entitlements. We did find a number of areas of discriminatory practices against children in adoptive relationships that we believe ought to be addressed by the federal government.

In the time that is left could I say that the four things that were drawn out in the motion moved by the member for Mackellar point to the issues, based on the evidence presented to the committee, and point the way forward for many more Australian couples to be able to adopt children from overseas and have that choice accepted as a positive choice in adding to family and family formation. (Time expired)

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

GRIEVANCE DEBATE

Question proposed:
That grievances be noted.

Dental Health

Ms GEORGE (Throsby) (4.31 pm)—I cannot say that I am pleased to speak on the issue of dental health, but it is a very important issue and one that I raise again in the grievance debate this afternoon. A number of people from my constituency have travelled to Canberra to hear what I have to say today on this issue. In my capacity as a federal member I get a good opportunity to appreciate what governments at all levels can do to improve the health and wellbeing of people in the community. One of my greatest concerns—and, as I say, this is not the first time I have spoken on the issue—is the inability of many of my constituents to afford private dental treatment. They are in the position of not being able to access any preventative dental health and, even when they are in
great pain, they often have to wait months to get access to urgently needed attention.

One of my constituents, Colin Yarwood, who is with us today, is a disability pensioner who was unable to face a three-month wait to have a diseased tooth pulled out. He solved the problem himself with the help of his own pliers and a medicinal dose of bourbon. As he recounted in our local paper:

I was in pain, it was indescribable and I couldn’t eat properly, but I was told there was a three month waiting list

In another recent article Donna Stewart talked about her two-year wait for attention to her teeth and gums. She recounted the story about her gums shrinking and her teeth being so loose that she pulled four teeth out with her fingers. A front tooth had fallen out on its own.

These are two examples, but they are the human face of the public dental crisis facing our nation. They are but two of the 7,586 people waiting for public dental work in the Illawarra and Shoalhaven region.

Mrs Irwin—Shame!

Ms GEORGE—Shame—that is right. They are but two of the half a million Australians on an ever-growing waiting list for public dental attention, each with their own stories of despair. Yet this government, the Howard government, with its record budget surplus, turns its back on these problems and engages in a typical blame game. ‘It’s not our responsibility,’ says Tony Abbott, ‘it’s the states’. But Mr Abbott knows full well that the Constitution recognises dental treatment as a legitimate medical treatment and one that clearly falls within the purview of a federal government.

That these appalling case studies can occur in a country as wealthy as ours is a shocking indictment of this government’s priorities. How can this government justify spending $50 million on a shonky IR publicity campaign, when it cannot find one cent to put into its responsibility for a national dental program? In an act of great hypocrisy I read that this government is planning to spend $143 million on health advertising, presumably in the hope of trying to convince the public that they are doing a great job. I know and we all know that this $143 million would be far better spent on producing real outcomes in reducing dental waiting lists and ending the suffering of so many people.

I am indebted to the hard work undertaken by members of the Illawarra Dental Health Action Group, who are in the gallery as I speak today. For the second time in the last few years they have made the trip to Canberra by bus, to again press their case for a national dental program. They were hoping to meet with the minister today but, much to my regret and theirs, the minister was too busy to meet them. But I am sure that they managed to table the petition with him—a petition that has been signed by almost 8,000 people. I have it here in the House. It is an indication of the active work on this critical issue undertaken by the Illawarra Dental Health Action Group. I thank them for not allowing this major issue to go unheeded. I am looking forward, I hope in the near future, to the Today Tonight program that came to the Illawarra to get first-hand case studies of the appalling neglect by the Howard government of the dental needs of people.

As I say, the minister refused to meet the group today, but he cannot wash his hands of this problem because the problem will not go away. Tooth and gum disease is a silent epidemic in our community. The government today is spending around $430 million a year subsidising dental care for those who can afford private health insurance, but at the same time it is turning its back on those most in need.
The lack of federal funding for public dental health is creating a huge divide between the rich and the poor. Australia now has the second worst adult oral health of all the OECD nations. Poor dental health impacts on other medical conditions, including heart disease, diabetes, arthritis, respiratory ailments and cancer. A recent study conducted by the dental hospital in Sydney has again drawn links between poor oral health and the increased risk of heart failure and strokes. The decision by the Howard government to axe Labor’s national dental program cannot be defended on any grounds, let alone on financial grounds, because we all know that investing in public dental health will save the community and the government money in the longer term.

I am concerned that restrictions on the availability of dental services in the public system and the increased costs of private dental treatment will continue to result in huge problems of access. Who will be feeling these problems at the front line? It will be those who are aged, those who are poor and those who are in ill health. As subsidies for dental care of privately insured Australians grow year after year, the aged and the poor continue to wait for years—sometimes for up to five, six or seven years—to get treatment and attention in a system that is being deliberately run down.

The government today is spending in the order of $430 million a year subsidising dental care for people with private health insurance, but it is doing nothing at the federal level to assist those in greatest need. As funding cuts take their toll, subsidies for the oral health of privately insured Australians continue to grow. As I said, this is creating a huge divide between the rich and poor in our society. Low-income earners without private dental insurance are 25 times more likely than high-income earners with insurance to have to have all their teeth extracted. That one statistic says it all: low-income earners without private insurance are 25 times more likely to lose all their teeth than privately insured people. Professor Spencer, from Adelaide University, described the situation in the public dental system in the following terms:

You’re mopping up advanced level decay and people with considerable pain and serious infections. What these people go through is repeated cycles of emergency care with teeth extracted.

So there are no funds for preventative medicine; preventative dental treatment is off the list. In my area, people are told that, even when their gums are swollen and bleeding and they are in acute pain, they cannot necessarily see a dentist within a period of several months. It is absolutely criminal that in a country as rich as ours this situation can continue.

We all know the difference that a national program can make. The states have a responsibility to pay their fair share, but that does not absolve the federal government from playing its part. As I said, $52 million for the IR campaign; $143 million, we are told, to extol the virtues of the wonderful things the government is doing in the health area; but not one cent or one dollar for public dental needs—and we know the difference that Labor’s program made.

In 1997 the Australian Institute of Health and Welfare reported that, in the first two years of the national program, eligible Australians who received public dental care visited the dentist more frequently, reported less frequent experiences of toothaches, received fewer extractions and were more satisfied with the care they received. Very importantly, waiting times were substantially reduced. For a small investment from the Commonwealth government, we saw a huge drop in waiting lists. The numbers of patients waiting for 12 months or more decreased...
from over 20 per cent to 11.3 per cent and those waiting for less than a month increased from 47.5 per cent to 61.5 per cent. So it did make a difference. The case for the reintro-
duction of a Commonwealth funded dental program is compelling. The government should get its priorities right and ensure that
money—\( \text{Time expired} \)

**Taxation Zone Rebates**

**Mr HAASE** (Kalgoorlie) (4.41 pm)—I rise today to speak again on the subject of taxation zone rebates. For those who are not aware, I have been a long-term advocate for change, or review at least, of the current sys-
tem. Australia’s taxation zone rebate scheme needs an immediate and considerable over-
haul. The current system neither accurately reflects the reality of life in rural and re-
gional Australia in 2006 nor formally recogn-
ises the contribution made by these areas. The rebate must be substantially increased, classification of those entitled to it amended and ancillary elements such as a discount for Higher Education Contributions Scheme re-
payments for university graduates who choose to live and work in rural and remote areas considered.

For those not familiar with the history, the taxation zone rebate, originally known as the taxation zone allowance, was introduced in 1945 to attract city workers to more remote areas and to provide an incentive for them to make it a permanent move. Two zones were established: zone A for remote areas, and zone B for marginally remote areas. The an-
nual rates were set at £40 and £20 respec-
tively. These zones remain largely un-
changed today. In the second reading speech for the Income Tax Assessment Bill in 1945, Treasurer Ben Chifley said:

> These allowances are paid to employees as compensation for the disabilities of uncongenial climatic conditions, isolation or relatively high liv-
ing costs.

This position is as relevant today as it was 50 years ago, if not more so. In 1975 the allow-
ance was changed to a rebate. In the past 30 years it has been reviewed six times, most recently in 1993-94. However, the value of the payment has been eroded to the point of irrelevancy and provides no adequate compen-
sation for life in rural and regional Aus-
tralia. The rebate ranges from $57 to $1,173 annually for those who live or work for a total period of six months in specified areas. At its highest value, the rebate was worth five weeks wages per annum. At $57 per annum today, it is barely worth the time taken to make the claim.

A level of $5,000 to $7,000 per annum would better reflect the additional cost of living in the bush. Furthermore, it must only be available to bona fide residents. The resi-
dents of towns in remote Australia often suf-
fer a 20 per cent surcharge on a standard metropolitan priced basket of goods. Nearly half a million taxpayers claim the rebate, at a cost of $200 million per annum. A reclassifi-
cation of entitlements would greatly reduce the number of claimants. One element con-
tributing to rural population reduction is the practice of ‘fly in fly out’. Fly in fly out workers are entitled to the rebate even though they may live in cities with full amenities. This entitlement should be re-
moved, as there is no hardship involved—no, not these days—even in the workplace itself.

Boundaries need to be reclassified. In 1945, Darwin, Cairns and Townsville were classified as remote towns. They are now among Australia’s largest and most vibrant cities. Darwin is the capital city of the Nor-
nern Territory and has a population of 110,000, but it is currently classified as being ‘remote’, in zone A, with its residents enjoy-
ing the same meagre entitlement as the resi-
dents of Marble Bar in Western Australia, with a population of 410. Queensland has experienced a population boom, recording
the largest population growth of the states and territories in 2003-04, with an increase of 81,000 people. Cairns now has a population of 120,000 and Townsville has a population of 144,000, but both are ‘marginally remote’, in zone B. Residents receive the same rebate as those in Woomera in South Australia, with a population of 300, and Corinna in Tasmania, with a population of just five.

Small towns such as these are disappearing because of general hardship. The share of the population in rural areas—that is, centres of less than 1,000 people—declined from 14.7 per cent in 1986 to 10.9 per cent in 1996. Without a change to the taxation zone rebate scheme, vast areas of Australia will be depopulated. If a tight-fisted attitude in Treasury prevents fair recognition of the need for service equity for bona fide residents of remote Australia then taxation zone rebates should be removed for those in centres with populations in excess of 50,000, which enjoy cost benefits as a result of competition.

Australia should use its abundance of land and unpolluted environment to its advantage, rather than overcrowding its urban centres. Mining and agriculture account for nearly 50 per cent of Australia’s exports, but there is a shortage of workers in both these sectors, as no meaningful incentives are in place to attract those would-be workers to reside in remote areas.

An investigation of all aspects of remote area population decline is long overdue. Innovative strategies, such as discounting HECS repayments, need to be thoroughly analysed. For graduates who are bona fide residents of remote areas a discount of 25 per cent for zone B and 100 per cent for zone A is one such strategy with the potential for great service improvement at minimal bottom line cost. The great void between suburban living, with public amenities and low living costs, and rural and remote residency must be addressed. In 1945 taxation zone rebates were successful in attracting people to remote areas. With a genuine commitment and a general revision, they have the potential to do that job again.

It is over a decade since a serious review of the taxation zone rebate system has been carried out. I am calling for a review to be approved and for the whole issue of boundaries and the value of taxation zone rebates to be addressed. We have a situation presently where those who live in leafy suburbs continue to receive the taxation zone rebate. Recall that the taxation zone rebate was initially introduced to consider the hardships of country employment in areas that were underserviced. That underservicing exists today, yet there are so many employees who receive the taxation zone rebate while living on a permanent basis in the cities and flying in and out of workplaces. That is an insult to all of those who are bona fide residents of remote areas where they suffer high prices because of the lack of competition and where they suffer the lack of amenities because of their isolation. It is time that a review was carried out to address that situation.

In calling attention to this taxation zone rebate system, I am told that I run the risk of having the whole process made redundant because there is a question as to whether or not a system of taxation zone rebates is constitutional. I have had a number of people advise me on the technicalities of the Constitution and on whether or not such an issue is unconstitutional, but no-one seems to be able to tell me and, of course, no-one is prepared to put it to the test. I say to the Treasurer and to Treasury: ‘Put the issue to the test, because, when somebody who is living in a centre with a population in excess of 100,000 is getting the same rebate as somebody who is living in a centre with a population of five,
there are anomalies that must be addressed.’ If an investigation were to reveal that the system, as it stands, is unconstitutional, then those in a zone B area risking $57 a year do not have a lot to lose.

Workplace Relations

Mr Hayes (Werriwa) (4.51 pm)—It seems as though the business community may not be as supportive of the government’s extreme industrial relations changes as the Prime Minister may have first thought. Sure, there are going to be a number of big business operators from around the country who will go along to Liberal Party celebrations commemorating the 10th year of the Howard government—no doubt a long continuation of fundraising—but, when it comes to small businesses, people who make the economy tick, there seem to be some serious doubts emerging. Not surprisingly, businesses are not waiting to see the detailed regulation under the Work Choices scheme but rather are making sure that their businesses at least have certainty locked in now. In the December quarter alone, some 2,083 union negotiated agreements were registered in the Australian Industrial Relations Commission. This is up from 1,308 union agreements registered in the September quarter, which is nearly three times the 776 agreements registered in the June quarter. Essentially, employers are not waiting around to see the detail.

It is not just the larger organisations with unionised workforces that are starting to speak out against these extreme changes. I will take a little time to read a letter that appeared in one of the local Campbelltown newspapers, the Macarthur Chronicle, in November last year. It was written by Sarah Ditton, who is a small business proprietor in the area. She says:

Work Choices? One choice, I must abandon the State Award and negotiate AWAs with my staff. Simpler? One award covered all seven of my employees. Now seven individually negotiated contracts need to be drafted, signed and lodged, and legal advice sought.

Fairer? My competitor down the road is a more ruthless negotiator so will now have staff working around the clock, seven days a week, at no extra cost.

Small business, take a closer look. There is no Choice and this is going to hurt worse than the GST.

This is the view of just one small business operator working in the south-west of Sydney, but I assure you that it is not a unique view.

Recently I had the opportunity to participate in the Labor Caucus Industrial Relations Taskforce when we met in Tasmania. We assembled to allow people to express their concerns about the government’s extreme industrial relations agenda. Among them were people who had been denied the opportunity to present evidence before the Senate inquiry into these changes, and there was a local businessman who went into great detail to indicate that, at his own personal expense, he had taken out a newspaper advertisement against the changes. This small business operator was worried that these changes in the industrial relations laws would impact on people, certainly would impact on wages and would change the values within our society.

Let me tell you about one other person who appeared, a young woman who happened to work in a cafe. She came along with her mother. The cafe proprietor decided at some stage, with a view to cutting costs, to engage a labour hire provider to provide a workforce. All he did was to transfer all his existing employees to the labour hire contract and then renegotiate the contract with the labour hire provider. This girl, who was working her way through school and using the money for music lessons—and I have to say that that is a credit to the young
woman—was offered fewer hours and a reduction of $2 an hour. Because she did not sign the contract, she was not allocated any further time with that employer. Effectively, whilst not sacked, she just disappeared from that proprietor’s business—from the cafe.

It is not a case of saying that people will not act abusively when it comes to these laws; we know that people will, and what we have done is remove the checks and balances that applied within the system to stop people from exploiting people such as the young woman that I just spoke about.

Last week I accompanied the Leader of the Opposition to a meeting with the Police Federation of Australia, to discuss various aspects of their concern about what they see as possibly unintended consequences of these industrial relations changes. Put simply, the industrial relations changes under the Work Choices provisions could have a very deleterious impact on the way that police carry out their work, particularly in the AFP. Individual contracts do not fit well with a police force that needs some consistency between its officers. Individual contracts do not recognise that these officers have independence in discharging their office of constable. They take an oath of office which compels them to discharge their duties, as opposed to being directed to discharge their duties. An individual contract would not recognise that. It would be something like putting magistrates on individual contracts. I am sure that would lead to slightly less impartiality, particularly when it came to contract renewal.

This government is likely to put considerable pressure on the states to implement individual contracts in the next public sector round of wage adjustments. We have already seen it in relation to the higher education sector. We have seen it in relation to TAFE colleges. If you want to access Commonwealth funding, you will offer your employees individual contracts—or you need not apply. That is the way this government has sought to induce parties to put into effect the finer touches of its industrial relations regime.

To return to policing: the underlying premise of the normal activities of police and police disciplinary procedures is that similar tasks and decision making will be carried out by people of particular ranks. If these were reduced to individual contracts, I am not sure what that would do for the line of command within the police force. There is no doubt that having individual police on contracts would erode the situation, and without doubt it would have an impact on the way police go about their duties, as well as threatening the very independence of their office, as I said.

Any situation whereby the way police go about conducting their front-line activities is threatened simply because of the introduction of an ideologically driven agenda not only makes no sense but is abhorrent to anyone who has a view about social conduct in this country.

These are extreme industrial relations laws. They can impact on police, as I have indicated. Evidence is mounting that this industrial relations system is not welcomed, not even by elements in the business community. Despite this, I know that employers will continue to push the envelope. The only logical reason for doing that is that workers are a cost and costs have to be minimised—and if that means sacrificing the social and financial wellbeing of workers in Australia, then so be it; if that is what produces a better financial balance sheet for a company, then so be it.

It is this sort of attitude that seemed to colour the ACCI’s submission to the recent award review task force, in which it proposed to slash the number of awards in our
award system to just four. This proposal would see up to 800,000 skilled workers on lower wages, denying them access to rates of pay that properly reflect their skills and experience. The Work Choices legislation puts us at serious risk of being the first generation in Australia’s history to leave to future generations a set of conditions and way of life that are worse than what we inherited from our parents. (Time expired)

**Superannuation**

Dr SOUTHCOTT (Boothby) (5.01 pm)—I would like to speak about the superannuation co-contribution scheme. Last December, an article in the *Wall Street Journal* marvelled at Australia’s Macquarie Bank owning and operating toll roads in Chicago, San Diego and Virginia, parking lots in New York City and airports in Brussels and Copenhagen. The *Wall Street Journal* article made the connection between this surprising development and Australia’s large superannuation funds. It said:

Australia, once a marginal player beyond its own borders, is emerging as a major financial centre.

It went on to say:

… the pool of assets under management in Australia is among the largest in the world …

The authors of that article, Patrick Barta and Mary Kissel, attributed this pool of funds to the introduction of the nine per cent superannuation guarantee in 1992—a Labor initiative that is worth acknowledging as one that led to this development. Without doubt, Australia’s retirement income policy, with its three pillars—that is, the compulsory nine per cent superannuation guarantee, an income tested age pension and additional private savings—is regarded around the world as a good model. Debates in the US Congress look approvingly at our superannuation system. However, there are a number of challenges and a number of areas in which we will need to do more in the future.

The first is the adequacy of retirement incomes. In a submission to the Senate Select Committee on Superannuation in 2002, the Australian Bankers Association put down for the first time how much would need to be set aside to have a retirement income of 75 to 80 per cent of pre-retirement income. They said it would require contributions of 12 per cent of income over 40 years, 14 per cent over 35 years or 17 per cent over 30 years—that is, in addition to the nine per cent superannuation guarantee, three per cent extra income over 40 years, five per cent extra over 35 years or eight per cent extra over 30 years. This highlights the importance of additional employer or employee contributions on top of the nine per cent superannuation guarantee to provide adequate retirement incomes. It is worth noting that currently the average contribution is 11 per cent of income, and lower for people on lower incomes.

The second issue we face is the pressure on future budgets from the ageing of our population. In the 2002 *Intergenerational report* it was estimated that by 2042 the Commonwealth government budget would be paying an additional 1.66 per cent of GDP on age and service pensions. This contrasts favourably with the OECD average of just over three per cent and countries such as New Zealand and Canada, where the rise will be much closer to six per cent of GDP. In 2005 the Productivity Commission released a report entitled *Economic implications of an ageing Australia*. Its conclusions were similar to those of the *Intergenerational report*. The Productivity Commission anticipated that spending on age and service pensions would increase from 2.9 per cent of GDP in 2003-04 to 4.6 per cent of GDP in 2044-45, or an increase of about 1.7 per cent.

The third challenge we face is the importance of having a high national savings rate. In his keynote address to the Australian Business Economists Forecasting Confer-
ence on 13 December 2005 entitled ‘Perspectives on Australia’s current account deficit’, David Gruen, from the Department of the Treasury, pointed out that Australia’s current account deficit has averaged 4½ per cent of GDP over the 20 years from 1985 to 2005, with a steadily rising net liability as a proportion of GDP over that period. To stabilise our foreign liability as a proportion of GDP, it is going to require increased national savings, or decreased national investment, and a sustained trade surplus of half a per cent to three-quarters of a per cent of GDP. I am indebted to Mr Gruen for providing those figures. National saving is currently at about 20 per cent of GDP and is underpinned by a decade of federal budget surpluses. Compare this with the United States, where national saving is only 14 per cent of GDP—and they have a budget deficit of three per cent of GDP.

In contrast with the strong performance of government saving, household saving has been negative in every quarter since September 2002. In considering what proportion of future budget surpluses should go into the Future Fund or towards income tax cuts or additional government spending, we need to consider the impact of any decision on national savings, and greater incentives for superannuation can help to increase overall national saving.

Ellis Connolly and Marion Kohler, in a research discussion paper for the Reserve Bank of Australia, concluded that compulsory superannuation has led to an increase in household savings. They concluded that for every dollar in superannuation contributions 38c was offset by a fall in private savings but 62c was additional savings. They suggested that compulsory super has increased household savings and therefore national savings by up to two per cent. Before this research, the thinking had been that any increase in super would be offset by a fall in private savings.

Last year, in the 2005 budget, there were two important changes for superannuation: the extension of the co-contributions scheme and the abolition of the superannuation surcharge. Together, these measures added around $2 billion of government money to superannuation.

The Treasury’s retirement and income modelling unit estimates that abolishing the surcharge will increase the average proportion of income saved for this group from 11 per cent to 12 per cent. In this group, which has higher incomes, most of the increased super is offset by a fall in private saving, with the main difference being that super contributions are preserved over time. But, as the co-contributions scheme is targeted at those in low- to middle-incomes, who have low saving rates, this measure is expected to lead to additional private saving. In a paper entitled, Incentives to save more in superannuation, Cliff Bingham and George Rothman of the Retirement and Income Modelling Unit estimated that an additional private saving of $250 million may flow from this source. Further, their estimate is that the two budget decisions from 2005 should add an extra $3½ billion to superannuation on top of an existing base of $40 billion a year in super contributions.

The Howard government and Treasurer Peter Costello have an outstanding record in the area of superannuation. There is already very generous concessional tax treatment of super. However, in considering these issues—the adequacy of retirement incomes, the future pressures on the Commonwealth budget and the imperative of having a high rate of national savings—I believe we should do more in the future. The Minister for Finance and Administration, Senator Nick Minchin, has floated the idea of abolishing the 15 per cent superannuation contributions tax. That is one option. A cheaper alternative may be to encourage additional voluntary
superannuation co-contributions. One way to do this is through an extension of the co-contributions scheme. The co-contributions scheme was first introduced from 1 July 2003, with a maximum co-contribution amount of $1,000 for incomes up to $28,000 and a phase-out at $40,000. In the 2004-05 budget, the higher income threshold was extended to $58,000.

The issue we face is that we need to create a culture of additional contributions over the nine per cent superannuation guarantee. Options include increasing the lower income threshold for the maximum co-contribution, increasing the maximum co-contribution, or a lower phase-out. I would say that the maximum 150 per cent replacement rate is already enough. So any greater co-contribution should be from a greater personal contribution.

I have two suggestions. The first suggestion is that we look at increasing the income threshold for the maximum co-contribution from $28,000 to $40,000. In their budget submission this year, ASFA wrote that they believe this would involve a $700 million cost to the budget. Secondly, I suggest that we look at increasing the maximum amount which can be eligible for receiving a co-contribution. Where $1,000 is the current maximum voluntary contribution, I suggest that we increase this amount over time to $1,500 and then $2,000. These two measures together will help improve the adequacy of retirement incomes, reduce pressure on future budgets and help increase national savings.

Australian Parliamentary Parties

Mr GAVAN O’CONNOR (Corio) (5.11 pm)—It is often said that this parliament is the clearing house of Australian politics and democracy. Here, in this hallowed place, individual members representing constituencies around Australia come together within a political framework negotiated at the time of Federation by our forebears to debate and decide on issues of great moment to all Australians. Not all of the political structures that govern the fact of members sitting in this place are set out in the constitutional framework established in 1901. Political parties have formed and occupied a central place in the politics of the nation.

The Australian political system has gravitated to a point where two major political groupings dominate the political landscape: the ALP and the coalition. It is these major political groupings that have been responsible for the formation of Australian governments since Federation. From occupying this special position in the Australian political system comes a heavy responsibility to the Australian people to ensure that internal processes of the parties reflect the dominant political values of our system and to ensure that those internal processes have integrity and are free of corruptive and corrosive practices that might undermine the rights of individual members and distort the political outcomes of those processes.

In reflecting dominant political values in our political system, that responsibility is to ensure that internal structures and processes are fair and democratic and uphold a base standard expected by a free people in a free society. From time to time, the public’s attention is focused on political parties, their internal processes and structures, and the outcomes of their deliberations. In the case of my own party, that focus is currently centred around preselections for state and federal candidates to contest prospective elections in my home state of Victoria. At other times, that focus has been upon the internal structures and processes of the Liberal and National parties and of the Democrats. Common to both sides of politics is a growing debate and concern about branch stacking in political parties to gain an outcome or affect
the preselection of candidates for public office. For example, in the Liberal Party, most recent media attention has focused on branch stacking in the seat of Ryan in Queensland and, of course, in the seat of Wentworth in New South Wales. At the state level in New South Wales there has been much written about the stacking of Liberal branches by the religious right to effect certain preselection outcomes.

In my own party, the debate is not new and from time to time surfaces in the context of explaining election defeats, when commenting on the future directions of the party or around preselection ballots. For example, in his Henry Parkes oration in 2005, my colleague Senator John Faulkner noted:

In our two-Party system, ... the selection of candidates and the setting of policies within the political parties has as great an influence on Australia’s governance as general elections.

He commented that historically Labor’s structures provided for participatory democracy but:

Today, the abuse of those structures too often smothers Party democracy.

He further commented on factionalism within the ALP and the feudalism that in his view:

... is killing the ALP.

After Labor’s 2001 defeat, Bob Hawke and Neville Wran attacked the ‘deadening impact of factionalism and the associated phenomenon of branch stacking’ and ‘the cancerous effect this activity has had on the democratic traditions that have been the strength of our party’. These anti-branch-stacking sentiments have also been echoed by Labor Party and Australian icon Barry Jones on numerous occasions. While many people in all political parties have grave misgivings about the corrosive impacts of branch stacking, few people outside the parties and the political process understand how it operates. In its raw form, branch stacking involves the so-called recruitment of large numbers of members to a political party from an ethnic, sporting, cultural or community group where memberships are usually paid for by another individual or they are paid for out of a fund especially established to finance the stacks. The overall aim is the same—to obtain a political benefit in party elections and preselections and in the broader distribution of power within the party.

In my own party and in my electorate of Corio persistent allegations of branch stacking by sections of the party have dogged the ALP and led to a demoralisation of the ordinary membership and a deep suspicion in the electorate at large that a party with a potentially corrupted internal process is not fit to govern at local, state or federal level. For those who may not be familiar with branch stacking and how it is financed, it is usually funded by a wealthy individual, a union or other organisation that sets up an arms-length entity or arrangement to finance memberships or through quasi party fundraisers where large sums are money raised, laundered through third parties and end up in branch stacking accounts to pay for memberships. It is the latter in my electorate of Corio that have recently come under scrutiny and public media attention.

In 1999 a luncheon at the Wool Exchange nightclub and restaurant in Geelong was organised by the then assistant secretary of the TWU, Richard Marles, who is now a candidate for the federal seat of Corio. According to the invitation, the $500 a head luncheon was to address the issue of Geelong in the next millennium and speakers included a state shadow minister, a federal shadow minister, the mayor of the City of Greater Geelong and the CEO of Toll Holdings. Cheques were made out to the Wool Exchange nightclub and inquiries directed to a Ms Eloise Wall with a Melbourne phone number be-
longing to the IQ Corporation, a company, as I understand it, operated by Mr Andrew Landeryou. It is estimated that $10,000 to $15,000 was raised at the function. I and the state member for Geelong, Ian Trezise, in whose electorate the function was held, were not invited to attend.

According to a statutory declaration by a former Geelong Labor Unity member Roxanne Bennett, who compered the function, individual ticket proceeds were split as follows: $50 went to Mr Damian Gorman, the restaurant owner, to cover his costs and $450 went into a bank account operated by four people—Mr Marles, Mr David Feeny, Mr Andrew Landeryou and a mysterious fourth person—and was used to finance stacks in Corio. Mr Marles has publicly denied Roxanne Bennett’s account, stating in the Age that the function was a commercial venture. The unanswered question remains as to why a union secretary, a member of the ALP, two Labor shadow ministers, the mayor of the City of Greater Geelong and a CEO of Toll Holdings were involved in a fundraising of this type for a restaurant owner.

Regrettably, this event and similar functions in Victoria around this time have not been seriously investigated by the party. In party circles it is common knowledge that huge sums of money were raised in Victoria by this means and the suspicion remains that they have been used for branch stacking purposes. In presenting itself to the public as a viable alternative government or, in the case of the state government, in seeking a continuance and re-endorsement of its mandate, the party in Victoria must ensure that not only do its internal processes have integrity but also rampant branch stacking, rorting and other excesses are weeded out.

I congratulate Simon Crean on the efforts he took as leader to tighten the rules of the party to make it difficult for branch stackers, and Geelong members are heartened by statements on the public record by Kim Beazley that branch stackers in this party will not be rewarded. Genuine party members in my electorate are disillusioned because they feel their longstanding grievances on these matters have been deliberately ignored by elements of the party leadership and by some party officials in order to convey a long-term factional advantage. Labor’s capacity to wage war on the conservatives and to defend working people has been compromised and diminished by these revelations. The fear of the membership is that a party unable to honestly address their grievances within its structures and processes is not fair dinkum about democratic practice and the great values that underpin our party, and ultimately will not be able to win the confidence of the electorate nor win government.

Housing Affordability

Mr BARRESI (Deakin) (5.20 pm)—Today I grieve for the many Australians who, despite the great efforts of the Howard government to keep interest rates low and provide a first home owners grant, are still struggling to afford the great Australian dream of owning their own home. It is a struggle that is made difficult because of the inept planning policies of various state governments around Australia and the tax burden on purchasers. In my own state of Victoria, in just five years the price of residential land in Melbourne has doubled.

According to the international research group Demographia, Melbourne has one of the world’s least affordable housing markets with median house prices at a multiple of 6½ times median household income. Historically, a median of three is considered affordable. With annual income currently at $56,000, it means that average house prices are $360,000. After almost eight years under...
the Bracks Labor government, Melbourne now ranks as the world’s 19th most expensive place to live. This figure comes from the 2006 study by the esteemed Economist Intelligence Unit.

Melbourne is expected to grow by one million residents by 2030, or 800 people a week, yet the state government, in its typical ‘do nothing’ way, has completely failed to address Melbourne’s pressing planning needs. It has failed to tackle sky-high property prices and failed to deliver the infrastructure needed to meet the demands of growing population density. The failure of the Bracks government—and state governments throughout Australia—on these fronts has clearly demonstrated that the planning strategies that they employ really are a road to nowhere.

The Bracks government’s objective is to confine some 40 per cent of the 600,000 projected growth in households to high-density activity centres, with only limited growth tolerated in corridors located at Wyndham, Melton, Hume, Whittlesea and Casey. The availability of new land for housing has been severely curtailed by the imposition of urban growth boundaries that override the wishes of landowners and local councils. This is creating an artificial land shortage impacting severely on housing affordability. Where land once represented 25 per cent of the cost of a new house and land package, it is now 50 per cent. It is not the price of construction that has increased but the price of the land. There does not need to be a land scarcity. Our cities and regional centres are surrounded by abundant land suitable for housing, and all that is required is a release of more land by the various state authorities. Commensurate with an increase in land stock is a need for greater community consultation regarding planning decisions. Local communities must be given an opportunity to have a say in the decisions on when, where and how much land they wish to subdivide for housing.

These state governments are failing local communities and home buyers. Their planning blueprint has been a dismal failure on three key fronts: firstly, a massive decline in house affordability; secondly, the loss of leafy, spacious suburban character, along with declining biodiversity and increased congestion; and, thirdly, inadequate infrastructure, particularly public transport and road upgrades. With respect to the decline in house affordability, the median price of established houses sold in Melbourne has soared from $227,000 in 1999, when the ALP came to office, to $359,500 today. Those figures are from the Parliamentary Library.

A reasonable person might think that the state government would respond by trying to reduce the financial burden on home buyers, but its response has been the opposite. In Victoria, the Bracks state government has imposed a new tax of $8,000 for each housing lot on new residential land. This is a blatant cash grab that will put the dream of owning a home further out of reach for young families. The Master Builders Association, in response to the introduction of this new tax, stated in the Age on 17 November last year that it was ‘a kick in the guts’ to home owners, and that is exactly what it is. It is making it that much more difficult for people who are trying to enter into the housing market.

It is easy to understand why organisations such as the Master Builders Association are so upset. Home buyers in Victoria already have to cope with one of the nation’s highest taxing regimes. Based on the average purchase price of an established home in Melbourne of $359,500, combined with an average mortgage of $214,000, total taxes in Victoria on purchasing a home are $18,254—the
highest in the country. If combined with the new $8,000 tax for subdivisions, Victorians will be paying a phenomenal $26,254 in taxes. To support that contention, I seek leave to incorporate in Hansard a comparison of state charges on home purchases across Australia.

Leave granted.

The document read as follows—

Comparison of State Charges on Home Purchases—

<table>
<thead>
<tr>
<th>Purchase price: $359,500 (median price of established house sold in Melbourne September 2005)</th>
<th>Amount borrowed: $214,100 (average housing loan size in Victoria in September 2005)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mortgage registration fee</td>
<td>Transfer fee</td>
</tr>
<tr>
<td>NSW</td>
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</tr>
<tr>
<td>VIC</td>
<td>46</td>
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<td>QLD</td>
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<tr>
<td>ACT</td>
<td>84</td>
</tr>
<tr>
<td>NT</td>
<td>90</td>
</tr>
</tbody>
</table>

Accessed 7 February 2006
Prepared by the Parliamentary Library

Mr BARRESI—I thank the shadow minister at the desk for obliging me in that regard. These high taxes, combined with a land scarcity, are clearly having a negative impact upon the building sector, with dwelling unit approvals in Victoria down 16.4 per cent as private sector houses fell 10.1 per cent, according to the ABS figures for December. These high taxes are clearly a breach of Steve Bracks’s commitment made in the lead-up to the 1999 state election, when he said he would ‘ensure that Victorian taxes and charges are equitable, progressive and conducive to economic growth, ensuring that business taxes and charges are competitive with other states’. If home ownership is to be within the grasp of a typical Melbournian family, then it is vital that the state Labor government in Victoria urgently release more land for new subdivisions and drastically cut its unfair and excessive taxes on home buyers.

The state government’s obsession with urban consolidation has led to a scarcity of land for housing, and its impact extends beyond the hip pocket of new home buyers and is being felt in established suburbs in my electorate such as Croydon, Nunawading and Blackburn. The traditional detached home with garden is under threat, as it is being replaced with high-density high-rise apartments and units. Called infilling, this is destroying the character of suburban neighbourhoods. It is estimated that around 35 per cent of all new housing supply comprises this infill style of housing. What is most disturbing is that the rights of local residents and councils to control such developments are now being overridden. This was particularly the case with the recent action on Mitcham Towers, just down the road from my office, which was approved by VCAT following a refusal by the former state planning minister Mary Delahunty to call in the project—an action which went against the overwhelming views of local residents and the local council.

So much for Steve Bracks’s promise to listen to what communities want. In its policy for planning, titled ‘Listening to what Local Communities Want’, Labor stated that it is ‘committed to bringing people’s needs and concerns back into the planning process’. Yet in my electorate there is planning decision after planning decision which is creating a great deal of angst and concern amongst residents as they have been forced to sit on the sidelines and just let it happen around them. The forced urban consolidation threatens to make our streets meaner, not greener, and without massive state government in-
vestments in roads and rail local streets will become increasingly clogged and congested and less liveable.

When we contrast what the Bracks government is doing with what the federal government is doing, it is clear that there is only one government in this country that is intent on helping first home owners. Where would we be today if it were not for the fact that this federal government, through its sound management of economic interests and economic policy, has managed to keep interest rates at a historical low of just 7.3 per cent—a far cry from the burden of 17 per cent under the previous Labor government? Under Labor, interest rates averaged 12.75 per cent and were 10.5 per cent when they left office. When compared to the average mortgage interest rate under Labor, interest savings alone under the coalition amount to a phenomenal $1,025 each month on the average new mortgage. Along with the federal government’s home buyers assistance package of $7,000, this really is great support for home buyers and is a good contrast to the inaction of state governments. (Time expired)

Integrated Humanitarian Settlement Strategy

Ms GRIERSON (Newcastle) (5.30 pm)—I rise today to draw the attention of the parliament and the Australian people to ongoing concerns about the delivery of Integrated Humanitarian Settlement Strategy, IHSS, services by the consortium led by the Australian College of Languages in New South Wales, particularly in the Newcastle and Hunter region. It must be understood that these are very specific services. They are for refugees who are not queue jumpers. They are for refugees who have no choice but to be resettled because of war and persecution. These are people that Australia has agreed to welcome to our shores as our share of taking those who desperately need humanitarian settlement.

Regrettably, this is the third time since September last year that I have spoken about the appalling way in which the Integrated Humanitarian Settlement Strategy is being administered and implemented in my electorate of Newcastle. In September I criticised the tender process for excluding regional communities. Regional communities cannot tender for the new three tenders in New South Wales without hanging on the coat-tails of a major company. That means genuine community participation and local solutions are marginalised in the tender requirements.

The successful tenderer for these services surprised me. I was concerned because ACL had no operational experience or reputation in the Newcastle and Hunter region. But, worse, they had no previous experience at all in delivering intensive IHSS services anywhere in Australia, so you do have to wonder what criteria were used for them to gain the contract. You have to wonder too if it was on price alone. In estimates today Labor’s Senator Hurley asked for a copy of the criteria. We look forward to seeing them and measuring them against what ACL are actually delivering. The Department of Immigration and Multicultural Affairs said in estimates today that it is the construction of the tender that gets you the successful bid and that if you say how good you will be at exercising the contract then DIMA will basically take your word for it. Apparently, you do not need to have a track record or any experience. Try getting a job that way!

Apparently the corporate sector can see extensive advantage from DIMA’s inability to draw up contracts, tender documents or criteria in a proper and rigorous way. Within days of taking up the IHSS contract, ACL was sold for $55.7 million to another large
private company, IBT Education. I guess that was a cheap price, given that just one tender for my area is worth $27.5 million. Significantly, IBT cited ACL’s strong contractual relationship with the Australian government, including the two new five-year contracts to supply IHSS services, as a factor which made them an attractive acquisition. At the time of the acquisition, IBT believed that at the end of the current five-year contract ACL would be well placed to extend its reach into the 2008 to 2013 contract round. I hope not, because in the first month it could not get it right and six months later it is still not getting it right—and please spare the people who need their services until it can get it right. But perhaps IBT’s chairman, Trevor Flugge, has been too distracted of late by his role as former chairman of the Australian Wheat Board to note the serious problems that ACL was having in meeting contractual obligations with the Australian government. Clearly, IBT’s acquisition of ACL was aimed at creating significant value for IBT shareholders. I think it is very sad to see the dawning of a new era in Australia whereby the provision of essential, critical and compassionate refugee services is deemed to be just an attractive, profit-making enterprise. I think that is quite shameful.

When I wrote to the then Minister for Citizenship and Multicultural Affairs, Mr Cobb, last year he assured me that I should not worry and that everything would be fine. I asked for a guarantee, but he instead said that he had confidence in the new model to ‘improve both the quality and the accessibility of services provided to humanitarian entrants’. He went on to say that, while entrants will continue to receive the same range of services, the new model significantly strengthens case and service coordination. That is not the Newcastle experience in terms of case and service coordination.

In November last year, I again raised concerns about delivery of the services in Newcastle and some specific cases. All those cases went to inadequate service delivery: families of 10 given food that even a family of four in Australia would not be able to survive on for 10 days; people being given a 000 phone number to use if there are emergencies even though they could not speak English; no accessibility to ACL, with even health workers making eight phone calls and then giving up in despair after their failure to contact ACL coordinators; and people being put into accommodation without any say in that accommodation and being asked to sign a lease when they did not even know what it was. That was all totally unacceptable, but that was the way it was happening. But Minister Cobb, after I made my speech and as late as December 2005, continued to express ‘full confidence in the settlement services provided to new refugees and humanitarian arrivals to Australia’. No wonder they had to shift him! We have had the death of a two-year-old, and today we see an appalling story of a double-amputee refugee who was very poorly accommodated and certainly not given assistance consistent with his physical needs. The minister says there is full accountability for this when IHSS services are contracted out to the private sector, but I am afraid that is what is missing: we do not see any accountability at this stage.

Also in estimates today, some questions were raised with DIMA—estimates are continuing at the moment; I would like to have waited until they had answered all those questions before speaking today—about other cases in Newcastle. One case involves two women who came to Australia under special 204 visas for people who have been persecuted or tortured and deemed by the UN as ‘women at risk’. These two women were dropped off in an area that was most unsuitable for them. They had previously
been subjected to brutal assaults in a bush setting. Where were they placed in the city of Newcastle? It was a bush setting. They had no personal hygiene products; they did not have enough food; and they had no way of getting help. They were found wandering the streets by a local Christian preacher who arranged to unite them with fellow refugees and volunteers. As a result of that case, DIMA said that they would attend to these concerns. I have to say to DIMA that no-one has attended to it. Those people are still waiting for the sorts of IHSS services that DIMA said would be provided. It is time that DIMA became much more engaged in this process.

Today in answers to estimates questions, DIMA gave some figures on all staffing levels. I can only say that they were appalling. Wollongong has a staffing level of one—that is not acceptable. The staffing level at Newcastle has been increased, but only after departmental inquiries were made and attention was drawn to this matter in parliament. The staffing levels remain too low. Refugees need intense services for their first three months of life in Australia.

DIMA also talked about ‘rumblings’. In a community like Newcastle there will be rumblings, because you cannot get away with things. If you are doing a bad job, we will know about it. DIMA also talked today in estimates about 80 people turning up to a community meeting. Almost six months after the program began, ACL decided to have a community meeting to seek volunteers and community participants. I have talked to people—genuine people who know about these problems and want to help—who went to that meeting. They are appalled that the restrictions on volunteers are so extensive: you cannot go into people’s homes; you can only visit these refugees three or four times. That is not exactly what these volunteers were thinking. They were thinking of establishing a genuine relationship with people who are to become our neighbours and friends. I think the 80 people who turned up to that meeting were slightly discouraged by the way it proceeded.

DIMA also talked about people declining to meet with them. At the moment with DIMA there is not a lot of trust. Certainly DIMA have a great responsibility to come to people and allow them to put forward their views and to get some real answers. DIMA need to assure us that they are following up on these services and that some change will happen. Sadly, at this stage nothing seems to have changed. DIMA can keep giving us assurances. They can investigate and say that the stories do not match—but these instances are still happening and need some proper investigation.

I look forward to meeting with the CEO of ACL next week. I do not know whether Hawker Britton will be there to manage the PR responses on the day but I do not appreciate PR firms being called in to manage critical members of parliament. I like direct contact, and I wish ACL had been more direct with me. I also hope that ACL are not using the IHSS funds to pay for Hawker Britton’s services. Overall, these services are not being delivered well. They need absolute attention and scrutiny or we are going to end up with social problems in our communities. Refugees are already traumatised. They do not deserve to develop additional anger and resentment as a result of their treatment in Australia. They need to be welcomed with warmth and compassion and to be given full access to well considered and professional services. (Time expired)

**Health: Queensland**

**Ms GAMBARO** (Petrie—Parliamentary Secretary (Foreign Affairs)) (5.41 pm)—I am very pleased to speak today in this grievance debate. A wave of sickness is sweeping the state of Queensland. It is not a virus or some
mystery illness affecting the state but an ailing health system that needs resuscitation.

We were once known around the world for our beaches and sensational weather. These days Queensland is making national and international headlines for the very wrong reasons: a chaotic and crumbling state health system; unqualified and fraudulent doctors; dying patients stuck on 10-year waiting lists; emergency wards closing across the state; mental health escapees; firemen and police officers having to moonlight as paramedics; systemic bullying—and the list goes on and on.

The appalling state of the public health system continues to worsen while Labor Premier Beattie continues to declare it as world-class. Do world-class health systems have emergency wards closing every few weeks? Do they leave patients stranded and hours away from medical treatment?

On the day that the Caboolture hospital emergency department was forced to shut its doors last month, an out-of-control vehicle ploughed into a gully within sight of the hospital grounds. Sadly, an elderly woman was killed and a critically injured passenger had to endure an agonising 40-minute ambulance trip to the already overstretched Redcliffe hospital in my electorate of Petrie, after having driven straight past the empty Caboolture emergency ward. According to the statistics, from July to December 2005 Caboolture hospital treated four life-threatening cases per week and 10 emergency illnesses or injury cases per day. That is an extra 74 cases a week that have to be farmed out to neighbouring hospitals. That incident is not just a tragedy but a shameful indictment on the Beattie Labor government. Unnecessary pain and additional grief was suffered by the families of the two victims because of this ludicrous situation. The media coverage that followed that incident was nothing short of a disgrace.

It does not end there. Some people have to uproot their families and, in some cases, sell their homes because they no longer have 24-hour access to an emergency centre. One distraught parent of a seriously ill child with cystic fibrosis told of the heart-rending decision to move from their family home, five minutes from the Caboolture hospital, to Brisbane because she feared that her child would stop breathing and die on the trip to Redcliffe emergency hospital.

To let a smart hospital system degenerate to such a shameful state and to become such a sham—and the people of Queensland are paying dearly for it—is an absolute disgrace. The future of many more emergency departments are still under a cloud across the state, including wards at major regional centres such as Hervey Bay, Rockhampton and Maryborough. Where will these critically ill patients go? They will be dumped on a hospital system already crippled by the strain from the chronic doctor and nurse shortage.

The Queensland Labor government has failed to train and, indeed, retain doctors. But why? Because the system has been mismanaged into chaos. Who wants to work for a Labor run health system that pays the worst, overworks doctors to the point of exhaustion—in some cases up to 48 hours straight on call—punishes medical staff who complain and threatens to gag others who dare blow the whistle on the incompetent? Just last week there were more explosive revelations: hospital waiting lists have now blown out by 347 per cent. Cancer sufferers were forced to travel for over an hour by bus after the Beattie government closed the Gold Coast’s main chemotherapy treatment centre. The deluded Peter Beattie still continues to crow to anyone who listens that Queensland has a world-class health system. This is
thoughtlessness and an insult to the survivors of Dr Death, who, incidentally, now faces multiple manslaughter charges. The victims' long-suffering families have had to endure this terrible episode.

The Beattie Labor government has the temerity to blame the federal government for its own astonishing mismanagement. Labor has taken to spending taxpayers’ money on full-page newspaper advertisements around the country, trying to blame the federal government for the critical doctor shortage. It seems that everyone else is to blame, and Mr Beattie is always pointing the finger at the Commonwealth for not training enough doctors. I have news for you, Mr Beattie: under the federal government 150 new general practitioner places were being provided each year, an increase of a third. The number of federally funded first-year medical students has almost doubled since 1996 in Queensland, and since 2000 five new medical schools have been established, the bulk of which have received millions of dollars from the federal government in support. There have been new medical schools at James Cook University in Townsville and Griffith University in Brisbane, and a new private medical school opened in 2005 at Bond University in Queensland. Also, the University of Notre Dame Australia medical school recently opened in Western Australia. New medical schools will also be established at the University of Western Sydney, the University of Wollongong and the east coast campus of the University of Notre Dame in Sydney in a couple of years.

The federal government has changed the requirement in the training and accreditation of overseas doctors, particularly in light of the Dr Death inquiry. A secret 2003 report by Queensland Health’s medical adviser for rural health services found a growing number of ill-qualified foreign doctors were being rushed into service, putting patients, employers and the community at risk. There are over 1,200 overseas-trained doctors working in the state, most under special provisions. An Afghani doctor working in North Queensland’s public hospital system could not speak English and was also deaf. In Townsville another so-called doctor was hired as a psychiatric specialist. Despite never having been trained in medicine, he was given a free hand in treating and prescribing drugs to psychotic and mentally ill patients.

After the Queensland opposition exposed the scandal surrounding Dr Patel, who is linked to the deaths of 13 patients at Bundaberg hospital, new stringent rules on the employment of overseas-trained doctors were enforced. The state medical board recently decided that it will allow foreign doctors to work before their degree has been verified. The Labor government has betrayed its promise to protect Queenslanders from yet another Dr Death situation. This is a short-term bandaid solution, and it is a self-inflicted doctor shortage.

In response, the Commonwealth government has tightened its requirements. The maximum visa validity period for temporary resident doctors in the subclass 422 visa was extended from two to four years in December 2003. Since then 1,860 temporary resident doctors have been granted a visa for greater than two years. It is important that we ensure that overseas-trained doctors are placed in areas of workplace shortage. As a result of that, the Australian government has conducted great recruitment activities, and another 88 doctors have signed employment contracts and will commence soon.

There are many reasons why we are having problems in Queensland. The public health system is rotten to the core. Last year, in a letter to the Prime Minister, Premier Beattie even had the temerity to blame the crisis on the Queensland people. I quote
from the letter, which indicates that the Queensland Health Systems Review found the service ‘is experiencing unprecedented demand pressures and showing signs of strain and in some cases failing’. Apparently too many of us are having children or daring to move to Queensland and to populate the state. Again I quote from Premier Beattie’s letter from September 2005:

The current Commonwealth Government policy initiatives designed to encourage private health insurance have contributed to the growth in the number of services provided in Queensland private hospitals ... which has seen the public sector losing increasing numbers of doctors in private practice ...

If responsible management practices had been established in the first place, the Labor government would never have been in the situation where doctors were fleeing a disastrous situation in the Queensland health system. I ask Mr Beattie to work more fully with the federal government towards maintaining a good health system, instead of wearing yellow ribbons and conducting patronage and tacky tactics.

The DEPUTY SPEAKER (Mr Lindsay)—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.

QUESTIONS WITHOUT NOTICE:

ADDITIONAL ANSWERS

Oil for Food Program

Mr HOWARD (Bennelong—Prime Minister) (5.50 pm)—by leave—During question time today, the Leader of the Opposition asked me a number of questions in relation to material provided by the government to the Volcker inquiry. One of those questions was based on an answer to a question on notice from Senator Faulkner. The question on notice asked by Senator Faulkner was whether ‘the Volcker investigators examined electronic files’, to which the answer was obviously no because the idea of allowing others to examine the electronic files of DFAT was not something that the department was going to embrace. I have, however, been informed that the Department of Foreign Affairs and Trade did search its electronic files for relevant material, and it downloaded all the material relevant to the Volcker inquiry that it was technically possible to do. That material was made available to Volcker.

The point I would make is that the allegation—that, because Volcker did not have physical access to the electronic files, the government was hiding from Volcker the material on the electronic files—is baseless, because the relevant material, to the extent it was technically possible, was downloaded by DFAT and made available. So I reaffirm that I have in no way misled the House and I reject the Leader of the Opposition’s baseless allegation.

Mr Beazley—Perhaps then the Prime Minister could explain why—

The DEPUTY SPEAKER (Mr Lindsay)—The Leader of the Opposition will resume his seat.

APPROPRIATION BILL (No. 3) 2005-2006

APPROPRIATION BILL (No. 4) 2005-2006

Referred to Main Committee

Mr BARTLETT (Macquarie) (5.52 pm)—by leave—I move:

That, unless otherwise ordered, at the adjournment of the House for this sitting the following bills stand referred to the Main Committee for further consideration:

Appropriation Bill (No. 3) 2005-2006
Appropriation Bill (No. 4) 2005-2006

Question agreed to.
Monday, 13 February 2006   HOUSE OF REPRESENTATIVES

THERAPEUTIC GOODS AMENDMENT BILL (No. 2) 2005
ANGLO-AUSTRALIAN TELESCOPE AGREEMENT AMENDMENT BILL 2005
Returned from the Senate
Message received from the Senate returning the bills without amendment or request.

COMMITTEES
Treaties Committee
Membership
The DEPUTY SPEAKER (Mr Lindsay)—Mr Speaker has received a message from the Senate informing the House that Senator Santoro has been discharged from the Joint Standing Committee on Treaties and Senator McGauran has been appointed a member of the committee.

DEFENCE (ROAD TRANSPORT LEGISLATION EXEMPTION) BILL 2005
First Reading
Bill received from the Senate, and read a first time.
Ordered that the second reading be made an order of the day for the next sitting.

STATUTE LAW REVISION BILL (No. 2) 2005
First Reading
Bill received from the Senate, and read a first time.
Ordered that the second reading be made an order of the day for the next sitting.

FISHERIES LEGISLATION AMENDMENT (COOPERATIVE FISHERIES ARRANGEMENTS AND OTHER MATTERS) BILL 2005
First Reading
Bill received from the Senate, and read a first time.

DR NELSON (Bradfield—Minister for Defence) (5.57 pm)—I move:

That this bill be now read a second time.

I would like to introduce the Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2006, which amends part IIIAAA of the Defence Act 1903.

The amendments contained in this bill will give effect to Australian government initiatives to improve the responsiveness of the Defence Force to domestic security incidents in the current threat environment.

I would like the House to note that this bill addresses the recommendations of Mr Tony Blunn, Major General John Baker and Mr John Johnson following their statutory review of part IIIAAA, and I particularly thank them on behalf of the Australian government—indeed, the Australian people—for their significant contribution to this bill.

I would also like to thank the Senate Legal and Constitutional Committee for its scrutiny of the bill and for providing Australians with
the opportunity to voice their opinion on the provisions contained within the bill.

In particular, I thank the committee chair, Senator Marise Payne, for her continued diligence in the Senate and for her keen interest in the defence of our nation.

I would like to acknowledge the committee’s report and thank the committee for its broad support of the Australian government on these measures, while noting that the bill and the explanatory memorandum already cover the fundamental principles contained in the committee’s recommendations relating to the application of an amended part IIIA of the Defence Act as a measure of last resort and the use of reasonable and necessary force.

I also thank the opposition spokesman for defence for the responsible way in which he has approached this particular legislation on behalf of the opposition. Indeed, I am thankful for the opposition’s support of this bill.

However, I do wonder at the shameful and, dare I say, disgraceful outburst by Senator Bob Brown, representing the Greens, during the Senate’s debate on this bill last week, when he likened the nation’s service men and women to Nazis who were tried in the Nuremberg trials. I think it is absurd and an indictment of the Greens, as a political voice in the Senate, that anyone would so illegitimately situate Australia’s Defence Force personnel within such a dreadful and heinous period of Western history. Notwithstanding the political differences and philosophical views amongst all of us, including within and between the parties, I do not think there is a place for that kind of contribution in any debate.

I have the honour of being Australia’s Minister for Defence. Not only am I a very proud Australian, but I am proud of the thousands of men and women who faithfully and dutifully train to protect and defend our nation and its people.

I share the hope of the nation that an event so extraordinary as to occasion the call-out of Australia’s defence forces will never occur, but I also share the very strong belief of the coalition that it is wise to ensure that our laws allow for the cautious and expeditious use of the ADF personnel in a time of extreme crisis.

These amendments will enhance the ADF’s ability to contribute to operations in support of domestic security and provide appropriate powers and protections for ADF personnel during call-out.

The current legislative basis for ADF operations in support of domestic security does not reflect the evolving threat environment, nor does it reflect recent initiatives such as the March 2005 establishment of the Joint Offshore Protection Command. The current legislation does not appropriately reflect the potential range of tasks faced by both permanent and reserve forces in periods of heightened alert.

The amended bill does not constitute a change to the fundamental principles which underlie part IIIA of the Defence Act. I would like to emphasise that, while the current threat environment is likely to remain dynamic, the use of Australia’s defence forces in domestic security operations remains one of last resort. Equally, the primacy of the state and territory authorities and the retention of the military chain of command are central to this bill.

The bill will amend current call-out provisions for the ADF in domestic security operations, amending parts of the legislation which are rigid and complex and certainly inhibit the flexibility and speed with which the Australian Defence Force could respond should Australia face a terrorist incident in limited or no notice circumstances.

Further, the amendments address the lack of statutory legal authority to use reasonable
and necessary force in ADF operations involving aviation and maritime security and the protection of designated critical infrastructure.

The amendments to part IIIAAA will clarify accountabilities, facilitate the effective use of ADF capabilities and ensure that there are adequate legal protections for ADF personnel when conducting domestic security operations.

In broad terms, the purpose of the amendments is to permit the utilisation of the Australian Defence Force to protect states and territories against domestic violence and to protect Commonwealth interests where state and territory jurisdictions do not apply.

I turn now to the specific amendments. The bill seeks to amend the Defence Act 1903 in nine key areas.

(1) The first relates to the use of reserve forces in domestic security operations. Restrictions on the use of the reserves have been excised to ensure that any ADF elements can be employed effectively in operations in support of domestic security. This will enhance operational flexibility and ensure that appropriate ADF capabilities are authorised to take action under part IIIAAA if required. Personnel from the reserve forces are increasingly integrated into day-to-day duties of the ADF. In some cases reserve forces might be better positioned to respond quickly.

Moreover, the government has established specialist reserve capabilities in recent years to conduct operations in support of domestic security. The expectation is that those capabilities would be required immediately in such a scenario.

(2) Second is the identification of Australian Defence Force personnel. An ADF member conducting division 2 and division 3 activities should not be required to wear surname identification. This has been addressed as it reduces operational flexibility of ADF members to undertake both types of operations. A suitable numeric or alternative identification will be developed to ensure that members of the Tactical Assault Group or other ADF personnel can be appropriately identified for consequence management purposes while still protecting their identities from the public.

(3) Third, this bill will amend part IIIAAA to reduce the notification requirement for cordon areas to be broadcast on radio or television, particularly in those limited circumstances where broadcast could jeopardise ADF operations or give terrorists warning of operations. This amendment will not alter the notification arrangements between the ADF and the civil authorities, and all other notification requirements will proceed as normal.

(4) Fourth, part IIIAAA is currently based on resolving siege or hostage situations, where the location of a threat is well known and where there is sufficient warning time to establish the requirement for call-out. This is reflected in the requirement for division 2 to apply to a ‘subject premises’ under the act. While ‘subject premises’ can be defined as a means of transport or other thing, it was unclear whether this would apply to an ADF response to mobile incidents.

As such, the amendment redefines ‘subject premises’ within the broader descriptor of ‘subject incidents’, focusing on assigning the powers of part IIIAAA to an incident or event, or series of events, rather than a narrowly-focused ‘subject premises’. Similarly, the part has been amended to include a reference to ‘resolve subject incidents’, preserving the current responsibilities of the ADF under division 2 but removing the ambiguity surrounding its specific application and allowing the ADF to operate in a mobile environment.
This ensures that the powers conferred on the ADF under part IIIAAA can be accorded to the ADF in the course of dealing with a mobile terrorist incident and a range of potential threats.

(5) Fifth, part IIIAAA has been amended to allow for expedited call-out arrangements to deal with rapidly developing threats such as a hijacked or rogue aircraft or a fast-moving vessel. The requirement is to ensure that there are flexible and responsive mechanisms in place that will enable call-out of the ADF in the event of such a sudden and extraordinary emergency.

The expedited call-out arrangements will enable the Prime Minister to make an order, which the Governor-General is usually empowered to make, in the event that a sudden and extraordinary emergency makes it impractical for a call-out order to be made under existing sections of the part.

In the event that the Prime Minister cannot be contacted, call-out can be authorised by two other ministers: being either the Minister for Defence and the Attorney-General as a second tier of authorising ministers; or, in the additional event that one of the two authorising ministers—that is, the Minister for Defence and the Attorney-General—is not contactable, the two ministers will then be one of the authorising ministers and one of the Deputy Prime Minister, the Treasurer or the Minister for Foreign Affairs and Trade.

Further, call-out orders need not be made in writing. That is, a verbal order from the Prime Minister, or from the two ministers, to the Chief of Defence Force can initiate call-out. In the event such an order is not made in writing, the Prime Minister and the two other ministers must each make a written record of the order, sign the record and ensure the signing of the record is witnessed.

(6) The sixth amendment provides the ADF with the ability to protect designated critical infrastructure. In the event of a credible terrorist threat or heightened alert, mass transit systems, mass gatherings such as the Melbourne Commonwealth Games or designated critical infrastructure may require protection. The terrorist attacks in New York, Madrid and London have shown that these types of infrastructure are high-priority targets for terrorists and that the Australian Defence Force may be required to protect infrastructure that the government designates as critical. To undertake this task, the ADF may be required to use reasonable and necessary force in specific authorised circumstances.

This measure acknowledges the increasingly close interrelationships between infrastructure, critical services and facilities, and that the destruction or disabling of a system or structure is likely to have significant flow-on effects that may result in loss of life—for example, the potential loss of power to a hospital, the disruption of communications or the interruption of vital utilities.

The Prime Minister and the aforementioned authorising ministers will designate the protection of infrastructure. The authorising ministers must be satisfied that an attack on infrastructure will result in a loss of life before directing the Chief of Defence Force to utilise the Australian Defence Force to protect infrastructure. Relevant state or territory governments will be consulted on the identification of designated critical infrastructure, unless this would be impractical for reasons of urgency.

The potential use of force by the ADF in such circumstances would be informed by a process that identifies the importance of the infrastructure, on its own and within a system, and whether disruption to its operation would endanger the life of a person. That process would be underpinned by a reasonable belief that there is a threat to specific infrastructure and the disruption of that in-
(7) The seventh amendment concerns the use of the Australian Defence Force in a domestic security operation which has the potential to result in damage to property, serious injury or death. In circumstances where part IIIAAA is enacted, the ADF will be employed, either as a direct result of a call-out requested by states or territories or by a Commonwealth initiated call-out, particularly in the maritime and air environment. It is also possible that domestic security operations will be cross-jurisdictional.

As the ADF is a Commonwealth entity operating under Commonwealth law and the Defence Act, it is appropriate that any prosecutions arising from a domestic security operation should also be considered by the Commonwealth Director of Public Prosecutions. The Commonwealth Director of Public Prosecutions would be required to consider the context of a domestic security operation, including relevant rules of engagement and the military chain of command. It must be emphasised that there is no intention to seek protection for any ADF member who complies with a manifestly illegal order or undertakes an unreasonable or unlawful act. The use of the Commonwealth Director of Public Prosecutions will ensure consistency and, to the maximum extent possible, a uniform set of criminal laws that can be applied to ADF personnel acting under part IIIAAA.

I turn now to the final changes to part IIIAAA, which introduce two new divisions within the Defence Act. These divisions reflect the requirement for a greater level of authority for the ADF in specific and limited circumstances—in this case, in the air and maritime environments. Currently, there are no provisions within part IIIAAA to enable the Australian Defence Force to conduct operations against air threats. At present, these operations would be authorised under the government’s executive power. As the ADF is the only agency equipped to conduct aviation operations, there is a requirement to ensure a consistent legislative approach for both land based and air based activities.

In the event of an aviation security incident, the ADF has the only capability of resolving such a threat. However, there is no statutory authority under current part IIIAAA provisions for the ADF to resolve an airborne aviation threat. The new aviation division within the Defence Act will enable call-out of ADF capabilities to respond to threats to Commonwealth interests in the air environment. This division contains a specific authority for ADF members to use force against an aircraft in flight or on the ground, provided that those members are authorised by their orders to use such force and that those orders are issued pursuant to a ministerial authorisation and are not manifestly unlawful.

The second new division created under the amendments to part IIIAAA is the offshore division. As with the air environment, there are no provisions within part IIIAAA to enable the ADF to conduct offshore maritime counter-terrorism activities outside of a state or territory jurisdiction. ADF personnel do not receive the same powers and protections afforded when conducting land based hostage recovery operations. Again, as the ADF is likely to be the only agency able to conduct offshore counter-terrorism operations, there is a requirement to ensure a consistent legislative approach for both land based and offshore activities, similar to the aviation division.

The current part IIIAAA is focused on protection of the states from domestic violence, and the protection of Commonwealth interests from domestic violence within Australia. In this context the current provisions...
mean that the term ‘within Australia’ does not extend beyond the territorial sea baselines, and therefore the current part IIIAAA does not extend to the offshore environment between the end of the territorial sea and the edge of Australia’s maritime responsibilities—clearly an unacceptable arrangement. The current part IIIAAA is also land-centric in its application. The new division within part IIIAAA will enable call-out of ADF capabilities to respond to threats to Commonwealth interests in the offshore areas.

In all instances, the new air and offshore divisions will ensure that ministers will have due regard to Australia’s obligations under international law. In summary, this bill will allow the utilisation of the ADF to prevent, deter or respond to threats to our nation’s domestic security whilst maintaining the integrity of the principles of Defence Force aid to civilian authorities. The Australian government is diligently working to ensure the protection of our nation, its people and its interests. I commend this bill to the parliament and present the explanatory memorandum.

The DEPUTY SPEAKER (Mr Lindsay)—The question is that the bill be read a second time. Is leave granted to continue the debate?

Leave granted.

Mr McCLELLAND (Barton) (6.15 pm)—The opposition supports the second reading and the passage of the Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2006. We will, in due course, be moving a second reading amendment on issues of consultation, but those issues are separate from the merits of the legislation.

As the Minister for Defence indicated, this bill arises from a statutory review which was preprogrammed, if you like, into the original legislation. That review was tabled on 2 March 2004 and we express our appreciation to those involved in the review. The original laws in part IIIAAA were enacted in September 2000. They were controversial at the time and subject to a great deal of public debate, but I think events since that time, most notably the September 11 attacks on New York and Washington, showed just how necessary they were. Of course, those attacks have unfortunately been followed up by numerous events around the world, including the London and Madrid bombings.

It is important that people realise that the current framework—that is, part IIIAAA—operates in two contexts. The first is where the states are confronted with violence that is beyond their capacity to deal with and request assistance from the Australian Defence Force. The second is in respect of protecting Commonwealth interests, where the Commonwealth has power to call out the defence forces on its own initiative. That regime is contained in the existing legislation. With the events of 9-11, Madrid, London and others around the world, the statutory review was able to assess the part IIIAAA framework as to its relevance and efficacy in the event of Australia being confronted with a terrorist incident.

The review made the following observations. Firstly, it observed that there were complications in terms of complex, and at times quite convoluted, procedures under the existing legislation, which limited its effectiveness. It noted that the current legislation is substantially limited to a siege or hostage situation. It observed that the current framework really focuses on a security incident—an event, if you like—at a specific location, rather than recognising the fact that a terrorist incident could be highly mobile and occur at several different geographic operations.

The review also noted that the current framework in the existing legislation was not sufficiently farsighted to enable preventative
or protective operations to occur. Further, it noted that the current provisions were simplistic in excluding the ability to call on the reserves, despite the fact that our reserves may have particular skills that equip them in particular for tasks such as responding to a chemical, biological or nuclear threat. Finally, it noted that there were unsatisfactory jurisdictional barriers to the effective operation of a civil call-out of our defence forces—namely, the eight different legal frameworks existing in the individual states and territories. As I say, that review was tabled in March 2004. With that review in mind, the Australian Defence Force conducted an analysis of the legislation in light of events.

The minister referred to—and, appropriately, condemned—comments made on behalf of the Greens by Senator Brown in the Senate. It is important when people contextualise this debate that they appreciate the activities of modern terrorists. As was submitted to the Senate Legal and Constitutional Legislation Committee by the Defence Force, and as we need to briefly remind ourselves, modern terrorism all too frequently targets innocent bystanders and, all too frequently, mass casualties are actually their desire and their intention. More often than not these days, suicide bombing seems to be a weapon of choice. As reprehensible as terrorist acts by the IRA may well have been, even if perhaps some would argue their cause had merit, at least there were attempts to provide warnings; that fact is absent from the modern terrorist event. It is fanciful to assume that modern criminal laws will be any deterrent to those who are often intent on taking their own lives to perpetrate the event.

The review of the Defence Force showed that, if we are to effectively prevent a terrorist event—most importantly, to prevent an event but, should the worst occur, to respond to such an event—we need the cooperation of multiple jurisdictions, law enforcement authorities, defence authorities, intelligence authorities and emergency response teams on a cross-jurisdictional cooperative basis. It is often necessary, if we are to prevent an event and minimise casualties, to take anticipatory action, based on intelligence. The lessons learned also are that an event may well cross boundaries. It may well be that an event occurs in New South Wales, South Australia and Western Australia simultaneously or within the same city.

The final point is that chemical, biological and radiological threats are very much a reality of modern terrorism. This means, as I have said, that we require expertise from the civilian authorities and, in particular, those who may be better equipped than the permanent forces and the members of our military reserves.

I will not labour an analysis of the bill in detail. The minister has accurately described the substance of the legislation in some detail. Suffice to say that there are essentially three categories that the nine different areas described by the minister can be summarised under. One concerns the expansion of the domains that this legislation will apply to. It will apply to the maritime domain and the aviation domain. I think it is fair to say that there was an oversight in not including those domains in the original legislation. Clearly, there is a risk in the maritime domain, whether you are talking about oil and gas offshore facilities, whether you are talking about the example of the September 11 attacks on New York and Washington—the threat through aviation—clearly there is a need for these call-out provisions to operate in those domains. That should be self-evident, we believe, to anyone who is objectively considering the merits of the legislation.
The other domain that will be added is the area of critical infrastructure. It is important to add that area because the current powers, I think it is fair to say, in brief, are limited to the defence forces substantially protecting life. It may be the situation that maintaining the viability of critical infrastructure is essential to maintaining life and public safety but in circumstances where there may well not be the presence of people at that infrastructure that would justify the current call-out regime.

The third area relates to procedural aspects, where there has been found to be difficulty in the current measures. In that context there are measures for an expedited call-out situation. A member of my staff did an analysis of the current regime. It is extremely complex and extremely time consuming. If we relied on that regime to combat or prevent an urgent threat, we would be in trouble. An example originally given in the explanatory memorandum, I think, was the possibility of a tanker carrying petroleum products or fertilizer being hijacked before it entered one of our ports, or indeed an impending threat by air, which would not facilitate these cumbersome arrangements. On that basis, the expedited provisions are justified.

The second area relates to the application of laws in this procedural group. The Leader of the Opposition has highlighted the difficulties where the black hawk helicopters, which will be located, for instance, in Horsley in Sydney, may well be required to respond to an event in Brisbane, Melbourne or New South Wales—wherever it may be—and would operate under a different legal regime depending on where they were called out to. That obviously creates problems with training, operational complexities and, ultimately, accountability measures. Having said that, we appreciate that there are complications with respect to the interaction with state legal systems. Perhaps there needs to be more work done and Commonwealth and state authorities need to sit down and identify those areas where, under the laws of Jervis Bay—the criminal regime that applies—there will be commonality and where there will be difference with the laws of the states.

The other areas where the legislation can effectively be grouped is within the third category—that is, with respect to operational matters. I have already commented on the commonsense of calling on the expertise that may be contained in our reserve force element, particularly dealing with the prospect of radiological, biological or poison attack.

On the question of identification, our special force members in particular are entitled to preserve their identity to prevent reprisals on themselves—but, more significantly, I am sure they would believe, on their family members. Currently, the legislation requires ADF members who are called out to have identification on them. It is appropriate in those circumstances that there be the possibility of identifying ADF members, particularly the special forces, perhaps through a number being included on their uniforms, while still preserving their identity by not publishing their names to the community or to those who may effect reprisals against them.

The next item the minister has referred to is the mobility of threat. We agree that this area needs modification. We have learnt from London and from Madrid that these events can occur at multiple locations—indeed, in the specific case of a London bus, literally moving around the streets of London. Clearly, the need for mobility is self-evident.

The other issue under this third category of operations is the current requirement that the identification of the call-out area be publicly broadcast. Obviously, it is desirable where possible for that to occur, if only to keep the public away from the area; but
equally there may be operational reasons for preserving the specific location to prevent notification to those who may be perpetrating the event and for other operational reasons, which again we concede as being sensible.

In the final part of my contribution I want to address some of the inaccuracies that have been presented in opposing this legislation—in particular, in the contribution of Senator Bob Brown on behalf of the Greens. Among other things in his contribution to the second reading debate he described this legislation as being ‘Constitution crushing’. In that context he relies on section 119 of the Constitution, which states:

The Commonwealth shall protect every State against invasion and, on the application of the Executive Government of the State, against domestic violence.

Senator Brown’s reasoning is this. Insofar as that casts a positive obligation on the Commonwealth, anything that does not involve a request from the state means that it is not authorised under our Constitution. With respect to the senator, he did not refer to other provisions of the Constitution nor to advice that was given by legal experts to the very committee that he sat on, the Senate Legal and Constitutional Legislation Committee. That advice, as quoted in the report, reads:

The Commonwealth’s inherent power to call out the troops on its own initiative is based chiefly upon the executive power (Section 61 of the Constitution) but other powers which are also relevant are Section 68 and the legislative powers contained in Sections 51(vi) and 51(xxxix) of the Constitution.

That is vitally important. These powers already exist. The executive already has powers to call out our military. What does not exist is a codification of how they are to be activated, how they will work in operation and how accountability mechanisms will operate. It is all very well for Senator Brown to refer to one section of the Constitution without referring to the broader advice or to the reality that call-out has actually occurred in the past under those broader executive powers. That has to be acknowledged. In honestly declaring and acknowledging that these executive powers exist, you can say: ‘Well, all right. Isn’t it better for training purposes that the regime for activating the call-out, for using the call-out and for subsequent accountability is effectively codified?’ That is precisely what the legislation is doing and that is exactly why the Australian Labor Party is supporting the legislation. Clearly, for training, operational and accountability reasons, there is a need for legislation such as this. To dismiss the need for such legislation, quite frankly, is being less than frank with the Australian people.

Senator Brown’s suggestion that the defence forces will be given immunity by these measures is, again, being less than frank. The defence forces will be accountable to criminal law, to the laws of Jervis Bay—that is, I think it is fair to say, to the criminal law that applies in the Australian Capital Territory. As the minister said, it enables a training regime, an operational regime, which is common wherever they may be called out to. It is not true that they will be immune from criminal law. The ACT criminal law is a detailed and sophisticated criminal law regime. We do have problems: those areas of commonality with and divergence from the states need to be sorted out so that state law enforcement authorities know where the barriers are. In that context we acknowledge and express our appreciation to the minister that he agreed to an opposition note confirming that state law enforcement authorities nonetheless remain responsible for investigating any allegations of criminality. That is a separate issue, however, from the assertion that the legislation will make members of the ADF immune from criminal law. That is not
the case and it is not sincere to advance that proposition.

We agree with Senator Brown when he says that the predominant role of policing should be done by police forces. But what he does not say is that the whole scheme of this legislation is to enable the military to be called out to assist civilian authorities. The regime is quite distinct from other models that could have been adopted. In the Canadian model, for instance, the defence forces are seconded, as I understand it, to the policing authorities to act as policing officers. We are not doing that. Members of our Defence Force will not be acting as police officers. They will remain members of the ADF with limited rules of engagement, as opposed to broader law enforcement powers. Similarly, the United States National Guard model has not been selected. That is a body entrusted with domestic policing functions. Our defence forces will very much remain to assist domestic law enforcement, and I think it is fair to say that the national security strategy has the state police commissioner ultimately in charge of an area where a terrorist event may occur. Again, it is misleading to suggest that members of our Defence Force have been given broader powers than police officers. In fact, the reality is that under their rules of engagement their powers are more limited.

The other issue that Senator Brown raised is the defence of superior order available under this legislation to a member of the Defence Force who faces criminal prosecution. Again, he has not gone into the detail of the legislation. Clearly, members of the Defence Force have had greater powers than police officers. In fact, the reality is that under their rules of engagement their powers are more limited.

The other and significant lack of frankness is Senator Brown’s assertion that this legislation could be used in an industrial dispute or civil protest, and he referred in his speech to the Franklin Dam situation. In fact, section 51G of the bill says the Defence Force must not be utilised to:

… stop or restrict any protest, dissent, assembly or industrial action, except where there is a reasonable likelihood of the death of, or serious injury to, persons or serious damage to property.

Again, that is a reasonable restriction that was not referred to sincerely and frankly by Senator Brown. He argues indirectly that these powers have been broadened insofar as the bill gives power to the members of the Defence Force to protect critical infrastructure. In that context, they are entitled to use reasonable force. I think section 51T is the section dealing with critical infrastructure. Senator Brown does not refer to the fact that before infrastructure can be designated as critical, the two authorising ministers, on reasonable grounds—specifically on reasonable grounds, permitting challenge—must be satisfied not only of the likelihood of threat or damage to that infrastructure but also, significantly, that the damage or disruption would directly or indirectly endanger the life of or cause serious injury to other persons. And, as a result of amendments, that has to be with consultation with state governments, barring a situation of urgency. So again the two ministers have to be satisfied that death or serious injury will be a likely occurrence as a result of this terrorist event—again linked specifically with the power of mem-
bers of the ADF to use force. So again he is being less than frank, unfortunately, with the Australian people in terms of voicing that concern, which is unsound on the basis of those protective mechanisms.

This all comes back to which way you are looking at these arguments. If you look at the arguments from the point of view of those checks, restrictions and accountability, the whole intent of the legislation is to protect—to prevent the loss of life of, in particular, civilians in the event of a terrorist event. To attempt to turn it around and say that the intent is to enable the Defence Force to go out and take life is wrong. In that context, article 6 of the International Covenant on Civil and Political Rights has been invoked by Senator Brown, who says that the legislation offends that. That article says:

Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

In terms of people being arbitrarily deprived of life, there is no event that is more likely to deprive someone arbitrarily of their life—including children who may be innocently on a train—than a terrorist event. This legislation is designed to prevent a terrorist event and to respond to a terrorist event. It is soundly based in terms of the safety mechanisms of call-out. It is sensibly based in terms of the operational requirements. You can always have additional accountability regimes, but in terms of the accountability regimes that apply under this legislation as compared to a general use of executive powers, there is simply no comparison. These accountability measures are appropriate. In summary, the opposition fully supports this legislation. I move:

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

“whilst not declining to give the bill a second reading, the House calls upon the Government to:

1. undertake urgent discussions with State and Territory Police Ministers with a view to clarifying the interaction between the application of the substantive criminal law of the Jervis Bay Territory pursuant to these proposed amendments and the criminal laws of the respective States and Territories of Australia; and

2. clarify potentially overlapping and inconsistent chains of command between the Chief of Defence Force and State and Territory Commissioners of Police in respect to a call out of the ADF to assist civilian policing authorities”.

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

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

Mr FAWCETT (Wakefield) (6.41 pm)—I rise to support the Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2006. In broad terms, the bill is talking about allowing the utilisation of the Australian Defence Force to protect states and self-governing territories against domestic violence and to protect Commonwealth interests. The word ‘utilisation’ to my mind underrates the true impact that this bill will have. What we are really talking about is the effective and efficient employment of Australia’s defence personnel and the assets which they operate and maintain on our behalf. This comes at two levels. One is in terms of governance—the government being effective and efficient in its use of the Defence Force but also enabling the Defence Force itself to be an effective and efficient force in executing the roles and tasks that the government gives to it.

Before I move to the detail on that, I would like to support some of the comments that were made by the member for Barton about comments that were made by Senator Brown. This bill is not about creating a police state in Australia or creating a state
where the military can do things with a free hand. This bill in fact empowers the Australian community, the Australian authorities and the Australian Defence Force to work together within an agreed framework where there are numerous checks and balances. I welcome the provisions, because they give a high degree of certainty to our service men and women, who need to understand the environment they are working in—the constraints they have to work to and the constraints they have to train to—as well as informing the civil authorities of the roles and tasks that they can reasonably expect the Defence Force to carry out.

I talked about efficient and effective employment at two levels. One is the government side. The government has a responsibility to make sure that it has the options to respond to changes in threats—and certainly the threat of terrorism. If we consider warfare, and more specifically asymmetric warfare, we can see that the threats to Australia have changed significantly over the last decade. It is appropriate that we change our legislative structure so that we can best utilise the resources and capabilities we in this nation have to respond to that. There are obviously synergies that can be gained by better cooperation between the civilian agencies and powers and the Defence Force so that our use of resources is timely and effective whilst retaining the checks and balances that are important.

More specifically, I would like to talk about how this legislation underpins the kind of effectiveness and efficiency that our Defence Force needs. The public expectations about what defence forces can do are probably really well seen in the example of Hurricane Katrina in the United States of America, when people just expected that at the click of a finger you could swing a national defence force into action and go down and actually resolve a situation. And that was in a situation where there was nobody shooting back at you: it was a natural disaster.

If we are going to give our Defence Force a task, it is important that we also give them adequate opportunity to raise the capability to complete that task. When Defence considers capability, it considers a range of things, starting with people, the organisational structures and the interfaces between the organisations. There are the support networks that have to be in place not only to allow the initial deployment but also, importantly, to sustain the force for the duration of the operation, whatever that may be. There is also the training that is involved for the operations which we love to laud Australia’s forces for. We also need to recognise that we have to fund the training that they require so that they can practise the work together, practise the kinds of scenarios they need to be involved with. We need to make sure that the equipment is up to speed. And, importantly, the doctrine is the last element of capability that the Defence Force considers.

Without this underlying legislation, which clarifies for the Defence Force the roles that they may be called upon to actually act in, they would not have the guidelines they need to develop appropriate capability covering all those elements: people, organisation, support, training, equipment and doctrine. All those things will have an impact on their operational concept. Those guidelines and further government guidance will also then dictate the levels of readiness that they actually attempt to hold forces at in order to respond to crises as they occur.

This legislation outlines a number of areas that are the starting point to this. Specifically, I welcome the assurance this legislation gives that no matter where a serviceman is called out they will be operating under one Criminal Code. There will be certainty there in their training and the subsequent employ-
ment of that training. They will have one set of guidelines they are working to across Australia—and indeed when they are deployed offshore in the maritime environment.

Importantly, this also includes some of the checks and balances. While we talk about ‘the law’, meaning Jervis Bay law, that they will all be accountable to, to counter some of the accusations and scaremongering put up by people in the other place, such as Senator Brown, there are also very specific amendments in here to put the onus onto individual members. If the scenario changes after they receive their initial orders or if in fact they realise that there has been a mistake of material fact or a misunderstanding, the onus and the obligation is on them to not just mindlessly follow through with orders. The concern regarding the defence of superior orders that was raised by Senator Brown is actually specifically addressed in here. We utilise the independence and the high level of training of individual members of the Defence Force to give them a direction and a common set of guidelines but also to put on them that onus that they use their own initiative and their own perception to make sure that carrying through that order is not only manifestly lawful but is also appropriate given the unfolding circumstances.

This legislation talks about the reserves and the utilisation of reserves and therefore has significant training and readiness implications for those reserve forces. If the public expectation is that the government can turn around at short notice and call out reserve forces, then it gives very clear guidance to our Defence Force about the level of commitment they need to put into the training, support and readiness levels of reserve forces so they are actually at a point of competence to carry out those tasks. Increasingly, where reserves are embedded with regular forces, that is becoming an easier thing to manage, but in the past many in the reserve have felt the poor cousin. If this legislation is indeed giving the direction that we want reserve forces to be able to be used at short notice, then it also provides a very clear mandate for appropriate resourcing and training for those reserve forces, so that they are equipped to do the tasks that the government and public expect of them.

The legislation also gives guidance to the fact that critical infrastructure needs to be discussed and agreed ahead of time between state and Australian government authorities, such that the military can work with their civilian counterparts not only to identify them but also to develop the scenarios and to conduct joint training on how those two groups of people will work together in different scenarios to protect that infrastructure. The last thing that you would want is for people to be given the job of protecting something at short notice and then discovering along the way what is involved and who else is a stakeholder in that whole exercise. Clearly identifying it up front will enable that scenario planning to take place.

Importantly, the call-out is now also covering actual and potential threats to Commonwealth interests in the air and offshore environments, rather than being focused purely on the land environment. Again, this has a large impact on the preparation of capability. It is very easy to think about putting a group of special forces troops into the back of a helicopter but, if they are going to do a lot of operations over water, you then need to start addressing things like helicopter underwater escape training and the use of personal breathing devices in case of ditching. There is a whole raft of duty of care considerations that have impacts on the timing and on investment in our capability. Not only do we need this legislation but we need to follow through with the resourcing to enable people to train to an appropriate level of readiness.
The provisions here that make sure that the broadcast provisions of 51K do not apply are also important. As we have seen just recently with civil disturbances, the advent of instant and mobile communications, such as mobile phones, SMSs, email et cetera, means that very quickly something that is happening in one place can be relayed to people in another, which can seriously undermine the surprise element and the security of our forces. So this is a very appropriate provision to place in here to ensure that our forces and their activities are not compromised.

Lastly, the expedited call-out arrangements are appropriate. Again, given the very rapid nature of recent terrorist incidents and given the fact that some of the figures, such as the Governor-General, may not be available within the time frame that the old legislation allowed for, it seems eminently appropriate to detail the framework that we wish people to operate within but then to provide several redundant layers of authorisations such that we can have that efficient and effective employment of the Australian Defence Force when it is required in support of the defence of Australia.

I support this legislation, not only because it clarifies the legal position but more importantly because it provides good guidance and a starting point for the men and women of the Australian Defence Force as they look to develop each of the elements of capability that they need to fulfil these roles that are expected of them by the government and the people of Australia.

Mr Edwards (Cowan) (6.51 pm)—I am pleased to be involved in this debate on the Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2006, given the way the debate was led by the minister; the very good response from the member for Barton, the ALP spokesperson on Defence; and the very good contribution from the member for Wakefield, who has just spoken. Certainly the member for Wakefield’s speech indicated a working knowledge of what it is that the men and women of the Australian Defence Force require in circumstances where they are called out.

One of the reasons this bill is before the parliament is that in the past the Australian Labor Party has insisted that legislation relating to national security be the subject of statutory review. Members opposite were highly critical of this move, but the ALP’s stance—back in 2000, I think, in relation to the bill that came through then—has shown its worth and borne fruit in these amendments. I say that because these amendments are the product of proper review and analysis by capable, competent people. This review was carried out by Anthony Blunn AO and General John Baker ACDSM and the report was tabled in parliament many months ago. If I had a criticism, that criticism would be that the government could have—and probably should have—moved on these amendments some time ago.

The government sat on the review’s report. It is interesting that once again, on an issue of critical importance to our national security, we are being asked to debate important legislation under a tight time frame—on the eve of the Commonwealth Games. I am sure the government want this legislation through so that they have the measures contained in this bill available to them before the Commonwealth Games begin. I wonder why it is that, once again, we have such a tight time frame for debate on issues of national security and national importance.

The review carried out by Blunn and Baker was an important one, and it made a number of observations. The member for Barton has already gone through most of these, so I will not go through them all again. However, I intend to go through some. Blunn
and Baker’s observations included the observation that existing procedures for civil call-out have been time consuming and complex and have had a capacity to limit the effectiveness of the call-out while also being restrictive by focusing on siege and hostage situations. The review showed that security threats may be mobile or may occur at different geographical locations. Once again, the member for Barton expanded on this. The review also found that restrictions imposed on the use of reserve forces were unjustified. I will talk about the reserve forces a little later on.

The review also highlighted an unacceptable lack of clarity in respect of the legal responsibilities of ADF members, who could be called upon to undertake tasks in the various state and territory jurisdictions of Australia. Probably one of the most important and crucial findings of the review was that the existing legislation did not reflect the evolving threat environment. I think it is a major problem when legislation as crucial as this lags. I suspect that part of the reason that it did lag was that simply not enough work went into the original legislation. Certainly it was not quick enough nor was there adequate review of the legislation by the government.

Members would be aware that a Defence submission was provided to the Senate. The Senate pointed out a number of things which complemented the review and the legislation—for instance, Defence’s submission pointed out that terrorist techniques now commonly involve the use of innocent bystanders as targets, rather than the taking of hostages; that mass civilian casualties are often the terrorists’ objective; that suicide is now a common method of attack by terrorists; and that warning times of impending action may be extremely short or indeed non-existent.

Defence also suggested that cooperation between agencies and jurisdictions is essential to obtaining better intelligence, to conducting more sophisticated surveillance and border controls and to providing adequate warning. As a former minister for police in a state jurisdiction, I was constantly appalled at the lack of cooperation not just between the various jurisdictions within Australia but sometimes within the internal workings of organisations.

One of the most crucial aspects of law enforcement and keeping our community safe is the sharing of intelligence. To achieve that, there must be trust between the jurisdictions and there must be trust between the agencies. There must also be trust between the people who run those agencies. In the face of events over the last few years, there has been a big improvement in these areas but I think we still have a long way to go, not just between federal agencies but between states, territories and Commonwealth agencies across the board.

The Defence submission also observed that there is likely to be a greater call for anticipatory action involving the ADF in order to respond to intelligence and to secure potential targets indicated in assessments. The things I said just a few minutes ago underline just how crucial it is to ensure that we do try to stay in front of terrorist actions, and this will only happen if there is a good sharing of intelligence. The Defence submission also noted that incidents may go beyond one site and involve rapid movement and that chemical, biological and radiological agents may be used in a situation. Of course in situations like the latter one, authorities need all the expertise they can get.

It is understandable then that this review of the legislation would observe the need for flexible call-out procedures and also the need to enable effective preparation and training.
of the ADF in situations where they may be called out in support of state or territory agencies involved in domestic security operations. It is incumbent upon this government and the ADF to recruit, skill, train, outfit and support members of the ADF so as to ensure they meet the high standards and have the capacity to meet the changing threat environment.

These amendments also extend the areas of ADF involvement into aviation, offshore marine and designated critical areas of infrastructure. They have already been dealt with, so I do not intend to go into them. But, importantly, as was noted by the previous speaker, this bill also goes to the area of legal authority, to enable ADF members to take necessary actions in achieving their tasks. It also gives them legal protections. However, it does not give them authority to operate outside Australian domestic criminal law. Members of the ADF must have legal authority to carry out their tasks, and they must also have legal protection to ensure their own security when operating within the law. They must know that, in the event that they are called out, the law is clear and their position is not in any way compromised by interactions between differing state, territory or federal laws.

The recent case of the special forces soldier who was hung out to dry by his superiors following an ambush situation in East Timor is, in my view, a blot on our military history. Members of the ADF doing their job must be protected by the system. They must be protected by clear and concise law, and they must be protected by their superiors. Most importantly, we in this place and those in the other place have a responsibility to ensure that our laws are clear, that they are concise and that they do protect the men and women of the ADF who are on the sharp end, doing a pretty fine job on behalf of our nation.

Like the member for Barton, I also want to reassure people who have contacted me that these amendments do not change laws in relation to the industrial situation in Australia. This bill does not amend section 51G of the existing act which provides that the Chief of the Defence Force must not stop or restrict any protest, dissent or assembly or industrial action, except where there is a reasonable likelihood of death or serious injury to persons or serious damage to property.

In conclusion, I say to the government that, in an ever-changing threat environment, reviewing legislation is just one of many tasks that government must be on top of when it comes to security issues. Clear and flexible call-out guidelines are important to all in the ADF, as are close relationships and good arrangements for the sharing of intelligence between various jurisdictions and state and Commonwealth agencies. So too is the need to ensure that there is clear understanding between the Chief of the Defence Force and state and territory commissioners of police in respect of a call-out of the ADF in support of civilian authorities.

It is also crucial to ensure that appropriate members of the community are recruited for and retained by the ADF, including the Defence Reserves. This is particularly true when the threat is constantly changing and evolving and not restricted to one geographical location. Australia is a big country, a big nation, and the government must recruit people to the Defence Reserves and support and retain them there. I believe a major review of how we go about attracting people into our Reserve is crucial. However, what we cannot afford in this particular area is a government more accustomed to procrastination than to action and innovation. Having said that, I join with other members of the opposition and support this bill.
Mr Lindsay (Herbert) (7.05 pm)—I rise with some authority tonight to speak on the Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2006. I represent Australia’s only garrison city—the city of Townsville, Australia’s largest tropical city. It is the home of Australia’s 3rd Brigade, 11 Brigade and RAAF Townsville. I speak on behalf of the men and women of the 1st Battalion of the Royal Australian Regiment, of the 2nd Battalion of the Royal Australian Regiment, of 3 Combat Engineer Regiment, of 4 Field Regiment, of 5 Aviation Regiment, of Joint Logistics North Queensland, of 10 Force Support Battalion, of the Combat Training Centre and of RAAF Townsville.

I have some experience with the military—a fine group of men and women—and I can tell the parliament tonight that the military in my constituency warmly supports the bill tonight. It warmly supports the bill because the bill clearly defines what is go and what is no go. It takes into account all of the issues that have arisen since the last amendments were put through this parliament, and they are very important amendments. The men and women of the Australian Defence Force know and understand that the government will never compromise their position or the position of Australia in defending our country against acts of terrorism or certain other acts where military intervention might be prudent and appropriate.

Of course, the government recognises—and this will always be the case—that state and territory police and emergency services will be the first response mechanism to any incident. But we also recognise that defence aid would be contemplated where the scale of the incident proved beyond the capacity of the civil authorities. That is sensible, and I think the people of Australia understand that. Australians have nothing to fear from the amendments that are being proposed to the House this evening. These amendments will certainly make very clear the roles and responsibilities of the military and of those who are in command of the military. They will also make very clear the roles and responsibilities of the executive of the government and what they would have to do to initiate a defence response if it were ever needed.

The 3rd Brigade has been involved in virtually all of Australia’s actions in the last 20 to 30 years. Most of these actions have been overseas, but 3rd Brigade men and women and RAAF and 5 Aviation Regiment soldiers are also scattered through the Commonwealth of Australia. It is quite delightful when I turn up somewhere other than Townsville and meet a member of the Defence Force from home. But the point is that, in being spread across the Commonwealth, they will be captured by this legislation. Being overseas, they will be captured by the legislation. Right now, we have men and women in Iraq, in Afghanistan and in the Solomon Islands, and of course we have had men and women from the Australian Defence Force from Townsville in Timor, Bougainville, Rwanda and Somalia.

While on that subject, I will just pay a compliment to the Minister Assisting the Minister for Defence, who is in the parliament tonight, for his decision in relation to Rwanda. It is very important to many members or former serving members of the Australian Defence Force who chose to remain living in Townsville. I pay a tribute too to Brigadier Mick Slater, Commander of the 3rd Brigade, who has certainly been a magnificent officer. There are just so many terrific officers these days in the Australian Defence Force. They know and understand the importance of this legislation in the parliament this evening.

Of course, Townsville is also home to 11 Brigade, which is a Reserve brigade. Its in-
interests are protected by the first of the nine areas in this amendment bill tonight—that is, in relation to the current restrictions limiting the use of reserves. Those are going to be changed, and so they should be. Reserves are playing an increasingly important role in the Australian Defence Force in these times. Indeed, there are currently reserves from 11 Brigade from Townsville serving in the Solomons. They will be captured by this first amendment but also by the amendment relating to the offshore division within part IIIAAA.

The provisions about the identification of ADF personnel are a commonsense amendment. Certainly no-one in this parliament would want our special service forces identified in times of response when tactical assault mechanisms are invoked. I do not see any difficulty in that particular amendment. Australians will not see any difficulty with the provisions about public notification of ADF activities, where clandestine siege or hostage recovery operations will not be publicly notified. Australians would not expect those sorts of situations to be publicly notified.

In part IV is the resolution to resolve mobile terrorist incidents. Of course, terrorist incidents may be fixed or mobile, so that part addresses the siege or hostage situation where things can be moving along.

Some concern was expressed to me about the expedited call-out procedures, but I listened very carefully to the second reading speech by the Minister for Defence here in the House of Representatives and I think that his comments would have satisfied any Australian that the protections involved in these call-out procedures are very rigorous indeed. No-one is seeking to do something under cover. These procedures will be open; certainly there will be a traceable record. Things will be in writing even when the orders cannot be in writing—and the Minister for Defence outlined that—and that will all be traceable. That is a great protection of accountability that this bill incorporates.

In relation to critical infrastructure, I think of things like mass transit systems, airports and the Commonwealth Games. Again, the Australian public would have no difficulty in welcoming amendments that will ensure their safety if need be.

The Defence Force is not going to be called out lightly, but the civil authorities will know when the level of threat is such that they cannot handle it with their resources. They will know when it is time to call in or request the help of the Australian Defence Force. The member for Cowan quite rightly reflected on soldiers having to obey the law nevertheless, and provisions to that effect are in this bill. Soldiers themselves have no problem with that part of the amending of the act.

Our time on this bill is limited, so I am going to finish here, but I do want to say that Australia’s paramount interest and the government’s paramount interest is in maintaining the safety and security of the Australian people. We would be failing in our duty if we did not do that. I welcome the support of the Australian Labor Party for these amendments. We will provide a cautious and consultative but expeditious response that will allow Australians to be protected by their own Defence Force at all times, if necessary. Therefore, I support the bill.

Mr Hayes (Werriwa) (7.16 pm)—The issues surrounding national security and the role that the various agencies play in the ongoing protection of our nation are very important. I support the proposals contained in the Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2006 because they will clarify a raft of issues surrounding the involvement of the ADF in domestic security.
tasks. There is no doubt that the experiences of other countries when it comes to the role of defence personnel in areas that might traditionally be considered to be the domain of state or territory police forces have pointed to the need for a clarification of the role of various authorities domestically. The bill also tackles the important issue of the level of legal protection that is provided to ADF personnel when they are involved in what is termed ‘domestic violence’. Significant aspects of this bill include the codification of circumstances in which the military can be called out and the accountability measures around such a regime.

In a world in which terrorism and the activities of terrorists are featured with increasing frequency in media coverage, national security issues are certainly important ones for us. Whether it is because of our involvement in the Iraqi conflict, whether it is because of our involvement in Afghanistan or whether it is because of the increasing number of important events occurring in our own backyard, there is no doubt that Australia is more exposed today to threats to its national security than it has been for many years.

The changes that we have before us today do not constitute a change in these arrangements but are still significant. The changes follow the statutory review of the existing legislative regime contained in part IIIAAA of the Defence Act 1903. The review made a number of points about part IIIAAA and the existing legislative regime and made the following recommendations: (1) that the scope of the application of part IIIAAA be reconsidered; (2) that the call-out and authorisation procedures under part IIIAAA be reviewed; (3) that action be initiated to resolve the practical limitations of part IIIAAA, in particular with respect to the use of reserve forces; and (4) that action be initiated to provide appropriate recognition of the practical reality of the military context in which members of the ADF engaged in domestic security operations must necessarily be required to act.

The amendments contained in this bill constitute the recognition that the ad hoc means through which arrangements were entered into for the use of the defence forces in national security issues needed to be set down formally. The fact of the matter is that part IIIAAA was not up to scratch. It did not meet the needs of an evolving environment—certainly not the one we are currently experiencing. Addressing these realities is a sad fact of modern life, but it is an issue that must be dealt with so that a sound set of principles is established and so that the process that surrounds the use of the Defence Force in events of domestic violence or in a sudden and extraordinary emergency is known and is clear.

As the Leader of the Opposition noted in his speech on the national security blueprint, under the arrangements currently in place, if the Black Hawk helicopters that are located at Holsworthy were required to respond to a terrorist event then the powers that would apply would be different depending on whether they were flying to Sydney, Melbourne or Brisbane. Such a situation is unworkable and must be corrected.

When it comes to dealing with matters that are of a serious enough nature to involve the ADF, the practical reality is that arrangements must be clear and they must certainly be clearly understood by all. Without clear lines there will be confusion. Such confusion will cost time and, in the event of a serious threat to Australia’s national security, regrettably this time is likely to be measured by a death toll rather than in monetary terms. In an environment in which one act by a lone terrorist could plunge a city into chaos, it is important that those with responsibility for responding to an event have a set of rules in
place which will guide the call-out of various elements of security personnel, be they police or military forces.

It pleases me that the amendments contained in this bill will not overturn fundamental principles and the primacy of state and territory police to respond to issues of national security in the first instance. It is the proper approach when it comes to domestic security operations that the use of the Defence Force is a matter of last resort. I welcome the fact that the legislation retains the existing processes and provides greater transparency for the role of domestic forces in domestic security issues. It is important that the scope of the ADF’s responsibilities in respect of the activities that would otherwise be authorised under section 61 and 68 of the Constitution, such as aviation, maritime and critical infrastructure security operations, be made clear.

In recording my support for this bill, I would like to note the concerns of the Police Federation of Australia. The federation has written to the Prime Minister and the relevant Senate committee outlining its concerns over a couple of issues associated with this bill. In its correspondence it notes:

Neither the Act nor the Bill specifically states how it is determined that a State is unable to deal with an emergency, merely that the person or persons authorising an order must be satisfied that such a situation exists. A clarification of how this determination is made should be included in the Bill.

The federation also expressed the view that it would be appropriate to define what constitutes domestic violence and what constitutes a sudden and extraordinary emergency. These are important points for the operation of this expedited call-out arrangement, and I ask that these concerns be addressed by the minister.

The second issue that the federation is concerned about is the transparency of the process surrounding the investigation and, where appropriate, the laying of criminal charges against Defence Force personnel. During security operations, particularly in times of crisis, there is the possibility that a criminal act will occur. Throughout the world there are tribunals and courts in which such matters are dealt with in a transparent and aboveboard manner.

Members of the House will no doubt have heard about the recent allegations against British soldiers in Iraq and seen the television footage. It has been indicated that an investigation was launched immediately by the relevant authorities to get to the bottom of the problem and make sure that appropriate action is taken. Of course, the events that featured prominently in yesterday’s news relate to military action and involve military personnel, so it is appropriate that the military use its processes and means of investigation to get to the bottom of the matter and take the appropriate action.

In the case where the Defence Force is called in to assist state or territory police, the lines, quite frankly, are not so clear. In their correspondence to the Prime Minister, the Police Federation made the point that making the Commonwealth Director of Public Prosecutions responsible for determining when charges are to be laid under Commonwealth criminal law may prompt questions about the transparency of the investigation. The federation is of the view that there should be an express statement in the legislation that investigations of purported criminal activity are to be conducted by the appropriate state or territory police. While this is outlined in the explanatory memorandum, the federation nevertheless believes that having these provisions contained within the legislation would be a clearer statement of intent. That is something to which I would lend my support. I think the legislative statement would be an important contribution to the
It is perhaps an unfortunate fact of life that we are having, given the international situation, to debate the Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2006. Having said that, it is a bill I strongly support, and I welcome the fact that the opposition is also giving its backing to the government in this important legislative change. I do not see that the matters raised in the pious second reading amendment moved by the honourable member for Barton should be dealt with in this particular environment. They are not major matters. I want to say how pleased I am that on occasion the parliament can work together to improve the security of Australia.

This bill follows several others over recent years which have facilitated amendments to various Australian acts as a consequence of the sad but real increased presence of terrorism in the world today. Speakers on both sides of the House have recognised this
changed environment, the fact that the global psyche is somewhat different and the fact that we now must be ever vigilant about the need to, whenever necessary, bring forward legislative changes to keep up with any new threats which arise. The bill proposes amendments to the Defence Act 1903 with exactly that underlying motivation. It is pretty clear that in the 103 years since the Defence Act 1903 was enacted the world has become quite a different place. Changes are clearly required from time to time, but I suspect that the changes in the international world situation have been more dramatic in recent years than in earlier years.

The bill has the primary function of streamlining and overseeing the use of Australian Defence Force knowledge, assets, skills and expertise, when required, to offer more efficient high-level protection to Australian government assets. Threats can come via sea through hostile ships, through land based organisations and from the air, as we saw through the September 11 tragedy in the United States. The bill will simplify the process by which the Australian Defence Force can be called into action promptly and effectively to counteract any arising threat.

The bill also makes clear that the ADF must only be called in as a last resort—that was a point also made by the member for Werriwa—and that, in spite of the fact that they may be the best equipped and best manned to defend Australia during such threats, they are still to acknowledge the jurisdiction of the protective forces and the governments of the states and territories that they are assisting. I think that is a really important, fundamental principle that in a federation we must all recognise.

The bill authorises the use of the ADF to counteract threats to Australian government assets such as transit systems and venues of mass gatherings such as sports events for the purpose of protecting the assets as well as sustaining human life. Of course, the Australian Defence Force can also act in these circumstances to protect assets that are not actually technically assets of the Australian government. In addition, infrastructure that is not inhabited but the disabling or destruction of which might indirectly cause injury or loss of life will also be able to be protected by the Australian Defence Force under the changes in this bill. These would include, for instance, power stations in which disruption to power could cause problems for the patients at hospitals and so on. In the situation where a Commonwealth asset is under threat by air, the ADF is recognised as the sole authority that is in any position to react to and neutralise such a danger. In all threat situations, the Australian Defence Force would of course work in conjunction with police assets.

This bill is not about doing away with federalism and taking away the rights and powers of the states and territories; it is about clarifying the circumstances in which the Australian Defence Force will be able to be called into action by the states where there is desperate need. This bill is all about ensuring that the sovereign rights of those states and territories will be recognised during times of heightened threat. The bill outlines the specific responsibilities of the forces in such circumstances, the due process that must be followed to make sure that such military manoeuvres are within the law and the requirements of ADF members in such situations. The ADF currently has authorisation under legislation to take action onshore in the prevention of terrorism. The permission for such action is currently authorised under the executive powers of the government. That arrangement does not give the ADF the same power and protections as given to any land based activities. That abnormality is rectified by the bill.
All of us would agree that it is preferable that consultation should be made, if possible, with the relevant government of the state or territory that is under threat, but one would appreciate that in this bill there is provision for prompt action to be taken when an urgent situation arises and when time is of the essence. The bill, as you would expect with a reasonable bill introduced by the coalition government, includes safeguards, including that the Governor-General, controlling ministers and the Prime Ministers are key to authorising certain requests for ADF action. In initiating the ADF action, authorising ministers must always consider Australia’s international obligations. That would be a matter much to the heart of the honourable member for Denison. In a changing world, with the evolution of new and dangerous threats to Australia, the changes set out in this bill are vital to ensure that our Defence Force and the laws and procedures by which they are governed keep pace with the very real requirements of peace and safety in the Australia of 2006.

We have an evolving threat environment, and all of us are concerned about it. We all might have different responses at different times to what we see as being the threat, but this threat environment is presenting increasing challenges to state, territory and federal governments. The scope of the threat outlined within the statutory review has been reinforced by recent terrorist operations, both regionally and globally. It is interesting to note that terrorist techniques now commonly use innocent bystanders as targets rather than simply as hostages. Mass civilian casualties may be a terrorist objective. Suicide is commonly used by terrorists. Warning times of impending action may be very short or non-existent. Deterrence is not a realistic concept against terrorist groups or individuals welcoming martyrdom in support of their cause. Much greater reliance must now be placed on intelligence, surveillance and border controls to provide adequate warning and a first-line defence.

There is likely to be greater call for anticipatory action possibly involving the ADF to secure potential targets indicated in intelligence assessments. The approval process for the authorisation of military assistance to the civilian authority after call-out must be available at very short notice or delegated at the time of call-out in limited circumstances, such as APEC or M2006. Incidents may go beyond a single site and consist of a series of situations or involve rapid movement rather than a static stronghold. The use of chemical, biological, radiological or nuclear agents in urban environments cannot be ruled out. A terrorist incident at one site might prompt the need for concurrent protection of other targets across Australia.

The bill currently before the chamber includes nine areas that are the focus for amendments: the use of reserve forces in domestic security operations, the identification of ADF personnel, public notification of some ADF activities, ADF powers to resolve mobile terrorist incidents, expedited call-out procedures, critical infrastructure protection, the role of the Commonwealth Director of Public Prosecutions, the creation of an aviation division within part IIIAAA and the creation of an offshore division within the same part. I mentioned that this is a very important bill. It is a bill that is fortunate to enjoy bipartisan support. I hope that it has a speedy passage because, given the environment of 2006, we must remain ever vigilant. The minister and the government are to be commended on this legislation. I hope the House rejects the second reading amendment moved by the honourable member for Barton. This is an important bill and it is important that it proceeds immediately. It is important that it be enshrined on the statute books.
because the result will be a much safer Australia, and that is a good thing.

Mr KERR (Denison) (7.41 pm)—Those who have contributed to the debate on the Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2006 thus far have focused on the changed threat environment that Australia may face as compared to the circumstances in which this parliament wrote the legislation that first codified the provisions in which call-out of the military in aid of the civil power was envisaged. I think that those observations are valid and justifiable, but I also want to stress today the significance of the changes that we are making, the importance of regarding the utilisation of the military as in fact the last resort and the importance of addressing some of the concerns the shadow minister has raised by way of the second reading amendment which he has tabled.

It is very important that we do not underestimate the significance of the changes we are making. The paradigm circumstances where previously call-out in aid of the civil power was envisaged were essentially those that arose post-Munich—that is, a terrorist event where some group of armed persons seize hostages and hold them, making demands of a political or other nature. Certainly it is true that the powers that were available by way of call-out could extend to a much wider range of circumstances. But the underlying training regime was focused around that kind of circumstance. It was the nature of the terrorist event that we most feared at that time.

I had the occasion, for about three years, to be the minister responsible under the then administrative arrangements for making the determination as to whether or not the call-out of the military would be approved. I should not kid myself: both the Prime Minister and the Minister for Defence would have had significant views were there time for consultation. Nonetheless, that formal legal responsibility at that time rested with me. In those circumstances, I took part in a number of training exercises. In those training exercises we modelled a response which tested the capacity of the civil authorities of a state to deal with a terrorist situation and then engaged in consultations involving me and state officials to determine whether or not call-out would be appropriate. But underlying it was a very grave sense and realisation that, were call-out to occur, the circumstances in which the military would engage would utterly transform the way in which that particular hostage situation could be dealt with because it would only be where ordinary civil policing was unavailable.

The resource that we most drew on was the SAS. The SAS developed extraordinary expertise in antiterrorist activities and a capacity to deal with those exercises in as timely a way as possible, given the fact that they were largely available only on call-out from their headquarters in Perth. The principal recognition that any minister would have in their mind when they approved such a call-out was that it was very unlikely that the use of the military in those circumstances could do other than resolve the situation through the use of lethal force. That was the capacity of the SAS. They were highly trained. In each of the exercises in which I participated as we trialled those responses, there was an underlying recognition that, were it ever necessary and if I ever had the responsibility of making that call, I would have to live with the consequence that in calling out the military there was a very high probability—if not a certainty—that the end result would be the deaths of, at least, numbers of those against whom the SAS were employed, as well as, hopefully, saving the lives of the hostages. That underscored the very great difference between civil policing,
where the use of lethal force is reserved for, essentially, self-defence in most instances—although it is available in very limited circumstances other than that and used in very much a last-resort situation—and the military, where their training, protocols and experience condition them less to that restraint which civil police have built into them from the very nature of their engagement.

On balance I think these measures are necessary. But I do want to emphasise three things. Firstly, the circumstances in which the military can be called out have been very substantially widened. They do now include limited circumstances where the request of the state authorities will not have to be obtained. That leads to situations where the underlying rationale that previously existed—that the military would be under the direct command of the police commander—logically cannot apply. How those circumstances will play out in practice is an issue for the future. I accept that there are going to be situations of urgency—that terrorist events now present themselves in a much more urgent way than perhaps in the past—and so these greater powers and the greater utility of the use of the armed forces may well be justified. But I do think we first have to recognise that we have very greatly expanded the circumstances in which they may be called out.

Secondly, we now permit the engagement of the reserves. The reserves are not persons who are full time in the military. The capacity and circumstances for their training ought to be as good as those of the Regular Army in these circumstances, but that issue has yet to be tested on the domestic front. I would hope that that does not present a problem. In the past we have thought it inappropriate to use the reserves, and there were good reasons for that. Perhaps the greater integration of the reserves into the daily practice of the military and their greater capacity to be used in warlike situations now justify that decision. But, again, it changes the nature of the relationship between the reserves and the full-time military.

Thirdly, I want to stress the point that the military now engage, potentially, in much more controversial circumstances. The military do not wish to be an adjunct in ordinary circumstances to the civil power. It is against all the tradition and history of the use of the military. They are trained to be the sharp end of Australia’s capacity to resist attack, and to be sent to places of danger to protect the national interest. They carry, through that training, enormous responsibilities. They are very aware of quite substantial reasons why we ought to make certain that, in allowing these wider circumstances in which the military may be called on in emergency situations, we do not permit ourselves subtly to make a paradigm shift in our minds that they can be more appropriately used, more widely and more generally, such that we start to get an engagement of the military into civil policing as a matter of common practice. It is easy to use the words ‘of last resort’ but in fact find reasons to draw down too readily on that extraordinarily well-trained and capable resource.

Once we engage our military in civil policing to a large extent, it then inevitably becomes involved in substantial controversy. It might have become involved in substantial controversy even under the previous regime. The incident at Beslan, for example, where Russian troops entered a schoolhouse to relieve a siege, tragically resulting in the loss of lives of many of the schoolkids they were sent to protect, has generated a huge internal controversy. Even with the best intentions, some things go wrong. But we want to make it very clear that we do not want to engage our military in civil policing, in controversy, in circumstances where the legitimacy of the use of the military is ever in dispute.
I want to make it absolutely plain that I have no envy whatsoever for those ministers who now will carry the responsibility for approving the call-out of the military in circumstances of emergency. Particularly, I would hate to carry the responsibility for one particular circumstance that is anticipated and provided for in the bill. That kind of circumstance has been referred to by some of the speakers as the ‘post September 11 circumstance’—to deal with the possibility of an aircraft being seized to crash into some infrastructure or public place.

The member for Fisher put the proposition in the kind of language that has been used in this debate. He said that the ADF—I think I am quoting him accurately; I made a handwritten note—is the only agency with the power to take action to neutralise the danger. If we unpick that and put it more bluntly, it means that this legislation now empowers orders to shoot down civil aircraft with the loss of life of all those aboard in order to protect a larger public interest. I accept that, on balance, as a necessary response—to give our military or our governments the ultimate capacity to call out the military in aid of the civil power. But we should not hide behind language such as ‘neutralising the danger’. When we pass this legislation, we are actually authorising the use of the military to shoot down aircraft upon which we, our friends or our children may be passengers in circumstances where it is believed that a greater risk to larger numbers is involved.

I want to move to a second point about this legislation, which is to say that I regret that we have not had a greater opportunity to examine this, without the time frame of the Commonwealth Games standing as, I suppose, a point at which a failure to pass this legislation could be critical. The Blunn report, which reviewed our laws with respect to the call-out of the military to aid the civil power, reported on 2 March 2004. It is now only three to five weeks before the start of the Commonwealth Games. You will excuse me, Mr Deputy Speaker Quick; I have been following the advertisements, but I have not quite firmly placed in my mind when that great celebration begins. But it is not the way that we should deal with such significant legislation. Issues still remain—and I will come to those, particularly with the conflict-of-law problems—that really do need greater attention. It is unfair on this parliament that we be asked to address such a comprehensive and substantial package against that time frame, when we have had so much time that could have allowed for proper exploration of these issues and perhaps their more effective resolution.

I now turn to some of those issues because I think it is very important at least to explain the concerns that I have—which are reflected in the shadow minister’s second reading amendment—about the decision to apply the law of Jervis Bay to those soldiers and Air Force and Navy personnel who are called out to assist in the exercise of antiterrorism or the protection of events or infrastructure.

What we are providing for is that, whilst they are subject to call-out, they will be subject to the criminal law and jurisdictions of the law of Jervis Bay. Broadly, if I can simplify that, that means they will be subject to the capacity of the Commonwealth to make specific provision or to disallow particular laws of the ACT. The law of Jervis Bay is broadly the criminal law of the ACT. It is quite similar, therefore, to the laws of jurisdictions which have adopted—not in whole but largely—the model Criminal Code provisions, which this parliament has passed.

But in Victoria, for example, where the Commonwealth Games are to be held, the underlying basis of the criminal law is quite different. Principles of criminal responsibility are quite different and the construction of the law, which is still based on the common
law, is substantially different. Of course, there are a number of other jurisdictions where that is the case, including Queensland.

This creates potential problems when we expect the ADF to operate under the command of the local police, who will have a view as to that which is and is not lawful. The ADF will be trained under a simple single regime—and I understand the reason for that—but they will be operating in a diverse number of jurisdictions that have different criminal laws and notionally under a different police command, where the commanding officer will have a different understanding of the underlying criminal law. That, itself, may give rise to difficulties about the implementation of the broad perspective of making certain that the ADF operates under the civil control of the police commander on the scene.

The second point is: how do we deal with those occasions when things do go wrong? Some circumstances are quite easily imaginable and can be dealt with by dealing with the ADF under the law of Jervis Bay. But consider, for example, a joint criminal enterprise. Assume, for example, in a situation under great threat, that an evacuation is required and a joint criminal enterprise is engaged in between some rogue members of the ADF and local police or local citizens to steal some of the money that has been left behind. How can that matter be properly addressed, when some of the people involved will be dealt with under one legal system and some under a very different system? Equally, the decision whether or not to prosecute in one instance will be in the hands of the Director of Public Prosecutions with respect to the military, but with respect to the civil enforcement arms of the state and ordinary citizens it will be handed to the state DPP.

One of the underlying principles we have previously adhered to is that, whenever the military has been called out, it operates under the law of the jurisdiction of the state in which it is operating. The same law applies to the military as applies to the police, which is the same as applies to the ordinary citizen. We are changing that, and I think that some of the implications of that have not been thought through. Indeed, it is difficult to imagine how the law of Jervis Bay would apply to issues more complex, such as motor vehicle manslaughter. Some of the offences of criminal negligence are so defined in such a different way that there will be issues about how these matters should be dealt with. I am particularly concerned that the consistency of treatment is not going to occur, because the decisions will be made not by the DPP of the jurisdiction involved but by the Commonwealth DPP.

One would hope that effective cooperative arrangements will be worked out, but there is no certainty that that will happen, and that is one of the points to which attention has been drawn. In fact, in principle, we should not have our military operating under a different criminal law code than that applying to the police in the state or to civilians in the state.

Of course, if we ever do get into the kinds of terrible situations exemplified by the member for Werriwa—where assaults occurred on civilians, instancing the allegations against the British forces in Iraq or the terrible tragedies that happened in Beslan, which might engage joint activities between the police and the military—then these issues will come very much to the front in terms of controversy and the difficulties in dealing with the legal responsibility consistently. So I think there is advantage in giving attention and support to the second reading amendment. It does not prevent this legislation from coming into effect, but it recognises that there are some substantial issues of principle still to be resolved. (Time expired)
Mr CAMERON THOMPSON (Blair) (8.01 pm)—The Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2006 is an important piece in the ar- moury of our country when it comes to a whole range of different levels of security. The prospect of terrorism in our country has been advanced again and again in recent times, and it is plain across the board that the kinds of preparations we need to make today are so much more extensive than ever before. The preparedness we require from our emergency services, our police forces and the military and the levels of coordination we need between all those individual groups, as well as coordination between federal government, state governments and local councils—the whole community effort that must go into preparing for and, if need be, repelling a serious incident involving terrorism or some form of attack on our nation or our communities—are so much more comprehensive. It is a requirement for us to be vigilant, and this piece of legislation goes to that need.

In my electorate of Blair, the perception among ordinary people on the street is that we are living in difficult times, with the threat of terrorism emerging and strengthening. People on the streets of Ipswich, Kingaroy or Gatton want to know that governments at all levels are working together effectively on this question and that there is no dispute or grey area left in the debate. It is rewarding for them to see the spirit of cooperation that is occurring between the state and local authorities and the Commonwealth and the extensive discussions that are going on between the various emergency services and military authorities to square away any outstanding issues.

This piece of legislation comes in the wake of legislation in September 2000 before the Sydney Olympics which paved the way for the smooth running of the Olympics. It certainly did, but the amendments that were put forward at that time contained many of the features and addressed many of the issues that we address today. It was opportune for Australians that we had the opportunity to prepare and to run through some of these questions earlier on because, in the wake of September 11 2001, we have had the advantage of putting in train many of the issues and addressing many of the questions of that earlier time. To revisit them now in the light of this higher level of threat is, I think, one of the reasons why we have such good cooperation, why we have such effective commitment to delivering laws that are workable and why we have an appreciation of the potential threat to our communities. When I say ‘the potential threat to our communities’, it extends to all kinds of levels. We want to protect people from and prevent acts of violence, and we want to be able to recapture a location or a thing, seize dangerous items related to a threat, control the movement of persons or a means of transport and evacuate people to a place of safety. These are powers that are provided to the ADF in support of civilian authorities under this legislation.

The legislation clarifies the role of the Commonwealth Director of Public Prosecutions. It provides for critical infrastructure protection, expedited call-out procedures, ADF powers to resolve mobile terrorist incidents, public notification of some ADF activities, the creation of an aviation division under part IIIA and an offshore division under the same part, the identification of ADF personnel and the use of reserve forces in domestic security operations.

There has been unanimous and fairly comprehensive support for this legislation from the opposition. A very positive attitude has been expressed in relation to this legislation across all political points of view—apart from one, that notably being the Greens’
spokesman in the Senate, Senator Brown. The charge that he put there linking the development of this legislation to the defence used by Nazis at the Nuremberg trials, where guilty parties claimed to be only carrying out the orders given to them by their superiors, is a form of extremism that flies in the face of logic and the strong supervision and careful analysis of this bill by every other party in the parliament and by relevant organisations within this country.

For Senator Brown to use that analogy—it might be tempting to say that was a cheap way to try to get a headline—is a form of extremism that I think would be worthy of the Nazis themselves. To advocate that kind of conspiracy theory, that kind of anti-Australian motivation, that kind of twisted motivation, and to link that to the motivation of the government in seeking to represent the needs of Australian people and indeed the opposition is reprehensible. It deserves short shrift from everyone in this House and it deserves to be noted by people because, by making such absurd and extreme statements, Senator Brown undermines the credibility of his party. Many would say it is pretty hard to undermine the Greens’ credibility further than it already has been but he has done that. It is good to see the all-round condemnation that has been heaped upon him—from the government benches, from the opposition and even from the Democrats. It is good to see those absurd words being outing in that way.

There have been amendments agreed to in the Senate that affect this legislation: the provision of a third tier to streamline the call-out process; and a mechanism to consult the relevant state and territory within which incidents are occurring, except in instances of exceptional circumstances regarding the protection of critical infrastructure. These are important amendments. The change in the call-out process provides a third tier. The two tiers initially provided were the Prime Minister, and the defence minister and the Attorney-General, as the two tiers from which a call-out authorisation would be sought. Now there is a third tier inserted, which includes the remaining authorising minister, and one of the Deputy Prime Minister, the Minister for Foreign Affairs or the Treasurer. That provides the necessary flexibility, because we are dealing with incidents that can happen very quickly.

Terrorist techniques are commonly aimed at using innocent bystanders as targets. There can be an objective sought by terrorists of mass civilian casualties, of infrastructure as a possible target and of suicide bombing. And warning times, if they exist at all, can be very short. These new and emerging threats require and challenge the government and all authorities to be creative in thinking ahead as to what possible atrocity might be visited upon us next.

Members opposite spoke at quite some length about Beslan. In the wake of September 11 there was commentary to the effect of saying, ‘How far will terrorists go? How inhuman can they be?’ People who watched with horror the events of September 11 were dragged to a new level of disgust by what occurred at Beslan. The bestial behaviour of the terrorists in that incident left people wondering what kind of downward spiral the world was heading into. It required the authorities in Australia and in every country of the world to probe the very depths of their imagination to try to outwit this kind of downward spiral, to look down to the lowest common denominator in every case and forewarn us, forearm us and prepare us for that kind of eventuality, as gross as it might be.

In this country we are so very fortunate because we have not been visited with the shocks that we have seen in London, on the
Continental or in the US—we have not been visited by that kind of terror. But the government has nonetheless been advancing our position and preparing the position of the armed forces in our country. One thing I am immensely proud of, as the member that represents the good personnel of the Amberley Air Force base and the district that supports it, is the unanimous vote of confidence that I get as a member of the government for the good work that has been being done by the minister, by the cabinet, by the government in general in investing in defence and in providing greater support for defence. We have seen the development within Australia of new hardware providing support for the defence forces, which would be called on in the event of a terrorist attack such as is contemplated in this bill.

We have seen the emergence of these new, upgraded AP3C Orion surveillance aircraft and, from what I have seen of their performance—including being fortunate enough to be involved in their activities over the Gulf, in operations in support of military activities in Iraq—those aircraft are able to contribute immeasurably to the detection of smuggling operations and all kinds of basic surveillance activities. They can identify and report, and connect people on the ground through a method of surveillance that delivers up a real-time example of what is going on on the ground and provide situational awareness for commanders in the field. The AP3Cs are available for use not only in an event such as the Iraq situation but in the sorts of circumstances that are contemplated here.

In Amberley at the moment we have started construction of the Wedgetail aircraft, an airborne early warning and control aircraft. Two of those aircraft are currently under construction in the States and another four will be built at Amberley. Those aircraft will provide the latest and greatest in airborne early warning and control measures to support our troops. Once again, these aircraft are to be used as support in an event such as this. The government has had the foresight to move for the purchase of Abrams tanks to replace the existing armoury within the Defence Force. We have seen the decision to purchase air-to-air refuelling aircraft of the latest generation—not converted 707s, but new, effective aircraft.

Today we have seen more F111s flying on a daily basis around Amberley than have been in the air for many years, and they are equipped at a higher level. It is incredible to think that at the time of the first Gulf War those aircraft could not be sent into the theatre of conflict because they were lacking in the electronic countermeasures that would be needed to operate in such a theatre. That is no longer the case today. Those aircraft are about as sharp as anything in the theatres of conflict anywhere in the world. The aircraft remain an absolute deterrent not only for potential belligerents internationally but also for international terrorists. We have also seen new initiatives in relation to air warfare destroyers. We do need to provide the best facilities and equipment. These things all provide our defence forces with the confidence that they need.

Also, when I was visiting Iraq recently, we heard a never-ending series of comments in support of the kit being provided to our soldiers in the field. We heard universally from the soldiers that we have good equipment, the best equipment: night vision equipment, boots and camouflage gear. While we were there the American soldiers, in particular, were very jealous not just of the camouflage equipment provided to our troops. The ASLAVs were also very much a source of jealousy for the American troops and the British troops, who were looking at our equipment with envy, knowing that it is the best in the theatre and that it provides the best deterrence.
It is ironic that there should have been recent criticism of this equipment, since UK troops are driving around Iraq in the Land Rovers left over from Northern Ireland and our troops are protected in ASLAVs. Soldiers in country after country are lining up asking, ‘Where do we get these ASLAVs?’ They look at the camouflage gear and say, ‘If only we had some of that stuff it would be far more effective than what we currently have.’

It is a great source of pride to me that our equipment is of such a high standard and that our government is so focused on the needs of our Defence Force. It is a need that relates not only to the war-fighting capacity of our troops but also to their capacity to respond to terrorism. Terrorism is causing a great shiver to those in the Australian community. We want to see this level of effective communication, consultation and coordination between all levels of government, and under the legislation that is laid out here we have that. I am very proud to say congratulations to the minister and to the government on the contribution that they have made.

Mr Wood (La Trobe) (8.20 pm)—I rise in support of the Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2006. We live in changing times. Preparation for serious emergencies has taken on a new dimension since the terrorist attacks on the United States on 11 September 2001. Attacks continue around the globe, and no country is impervious to these hostile attacks.

To list only some of the devastating international terrorist attacks since the deaths of 2,986 civilians in the September 11 attacks, in a snapshot: there were 21 Western tourists killed in Tunisia, 202 killed in Bali, 45 killed in Morocco, 12 killed in the attacks on the Marriott Hotel in Jakarta, 27 killed in attacks on British targets in Istanbul, 192 killed in Madrid, nine killed in the attack on the Australian Embassy in Jakarta, 35 killed in Egypt and 56 killed and over 700 injured in the July 7 London bombings.

We know that the threat of terrorism in Australia is very real; it is not hypothetical. Anybody who takes this threat lightly puts our country in grave danger. No country can be too prepared. We know that the nature of the threat is constantly changing and evolving; so too our response must evolve so that we can be as fully prepared as possible. In the event of a terrorist attack we want to act swiftly and effectively. Today, our emergency planning is one of our best weapons. It will prove crucial in responding well to such an event. We will not get a second chance; there will be no dress rehearsals.

The proposed legislation before us today is crucial to our emergency planning. It will make sure that the Australian Defence Force can be called upon to respond quickly to a threat to Australia’s domestic security. It will provide a clear legislative basis for the involvement of the ADF to assist our civil authorities, such as police, where currently there is a range of limitations. The current legislation presents many difficulties. It does not reflect our changing threat environment. There are too many processes to go through in order to coordinate an immediate response to a terrorist attack. These processes take too much time, time which could mean lives.

For one of the best examples we have as to how our current legislation works we need to go back to the 1978 Hilton bombings. On 13 February 1978 it took all day for the approval process to allow the ADF to assist New South Wales authorities. Deliberations went on for hours, as was required in the legislation’s call-out process. This process involved the Prime Minister, the Minister for Defence and the Attorney-General, who each needed to be satisfied that a domestic violence incident was occurring or likely to oc-
cur. Afterwards, the Governor-General was also required to issue a written order. The harsh reality of our current climate is that we need to be able to call out the ADF much more quickly than this process allows.

In the Howard government sponsored Mercury 04 exercise, in my previous life as a senior sergeant with the Victorian Police counter-terrorism unit, my role was to advise senior officers on the call-out procedures for the ADF, along with other roles. I can inform the House that the current process is very convoluted, time consuming and complex, as you have the police, the ADF and state and federal governments checking and double-checking with teams of legal experts, trying to ensure all legal requirements have been met. In times of crisis you do not want to be debating: ‘Does this situation meet the call-out for the ADF? Who has authority to call out the ADF? Have all the forms been filled in correctly?’ What you want is the ADF on the ground directly responding to a terrorist attack. These laws were not helpful during the bombings at the Hilton Hotel in 1978. Today they would be just as restrictive, especially in the context of a rapidly developing terrorist attack, which requires an immediate, urgent response, not a drawn-out legal process.

This is a frightening scenario. We are dealing with terrorists who aim to cause mass civilian casualties. We are dealing with terrorists who may not confine their attacks to a single site. We are dealing with terrorists who do not care whether they die during an attack. In future they may use a range of deadly biological, chemical or even nuclear weapons, giving them the capability of inflicting mass casualties. The most worrying aspect of all of this is that there is likely to be no warning.

To be prepared we need much more operational flexibility. Assisting civilian authori-
concerned with being fully prepared for to-morrow, next week, next month and in future years when the terrorist attack may be un-predictable. No person can promise me that a terrorist attack will not happen some time in the future on home soil. Therefore, I fully support the Prime Minister’s view that the Howard government’s number one priority is the protection of the Australian people.

Secondly, the threat we face today is un-precedented. These terrorist networks are inspired by an ideology which fundamentally opposes our values, and these terrorists are innovative. They look for new techniques to mount attacks, and we know that they have undertaken research into chemical, biological and radiological weapons. We just have to go back to April 2004 when terrorists in Jordan stockpiled 20 tonnes of chemicals—that is, enough to kill 100,000 people—but, luckily, authorities detected them. The only way we can truly fight them is by using a strategy which looks to the future, which tries to prevent attacks and which in the event of an attack ensures we get the outcomes that would be expected. With these amendments before us, we are ensuring that our legisla-tive framework allows the optimal coordina-tion response between police, government and the ADF.

I fully understand, appreciate and agree with the concerns Australians have in relation to the delicate balance we must strike between personal liberty and collective security. Personal liberty is one of the linchpins of our democratic way of life in this country and nobody who supports these amendments wants to change that. Indeed, in this fight against terrorism we are seeking to protect our personal liberties and those of all Aus-tralians. Members in this House would never want to see the day we require that this bill be enforced. That day would be a tragic and terrible day.

In closing, this is another step the Howard government is taking to ensure that not only are we best prepared to prevent a terrorist attack but in the worst-case scenario, if we have a terrorist attack on home soil, the ADF can respond quickly and effectively. I therefore strongly support this bill.

Dr NELSON (Bradfield—Minister for Defence) (8.31 pm)—in reply—I thank all of the members who contributed to the debate on the Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2006. I am par-ticularly indebted to the member for La Trobe for reminding us of the events of 13 February 1978. It is worth just reminding ourselves of those events, and describing them briefly should satisfy any Australian and any member that amendment part IIIA to the Defence Act 1903 is neces-sary. On 13 February 1978 a bomb exploded at the Sydney Hilton Hotel. The explosion occurred in the early morning, prior to the Commonwealth Heads of Government Re-gional Meeting. Shortly afterwards, the New South Wales Police requested Army to assist, and the explosive ordnance disposal team arrived within two hours. By mid-morning the Prime Minister and the New South Wales Premier had considered Army assistance and by mid-afternoon an emergency cabinet meeting agreed to provide troops to help se-cure the removal of the meeting to Bowral. Late on the same day the Governor-General issued an order calling out the Defence Force for the purposes of safeguarding the national and international interests of the Com-monwealth of Australia, giving effect to the obli-gations of the Commonwealth of Australia in relation to the protection of internationally protected persons and for other purposes re-lated to those matters.

In 2006, if the government and the polici-ng, state and, indeed, defence agencies were to respond in such a way, it would be consid-ered a national scandal. The delays in com-
communication, in meeting, in getting defence personnel on the ground and in doing all of those things which are governed essentially by the existing arrangements, at least for maritime and air intervention and protection, would be considered by most Australians to be, to say the least, out of step with what they expect to be a minimum standard of response. The Australian government’s paramount interest is in maintaining the safety and security of the Australian people. Indeed, that is probably the first responsibility of any government. The threat of terrorism is real and the nature of potential threats is constantly evolving and changing. We need to make absolutely sure that our terrorism prevention and response capabilities are as strong as they possibly can be. The Australian government is seeking to provide cautious and consultative but expeditious measures that will allow Australians to be protected by their own Defence Force in the event of an extraordinary event.

It was Thomas Jefferson who said that the price of freedom is eternal vigilance. In amending the provisions of the Defence Act the coalition are tonight establishing the parameters for defending our citizens and, indeed, our critical infrastructure. The proposed amendments to defence legislation do not constitute a change to the fundamental principles underlying part IIIAAA, which remain the primacy of the civil authorities, the retention of the military chain of command, the use of force as a last resort, that ADF personnel remain subject to the law and are accountable for their actions and ensuring that any authorised use of force is both reasonable and necessary. Changes will be made to part IIIAAA of the Defence Act to improve the coordination mechanisms for responding to a terrorist incident, to provide operational flexibility for situations in which the ADF may be required to respond to domestic security incidents to support civil authorities and to clarify the legal powers of and protections for ADF personnel when conducting operations in support of domestic security.

Part IIIAAA of the Defence Act 1903 was intended to provide a clear and accessible legislative basis for the use of the Defence Force as a last resort in aid to civil authorities to protect the interests of the Commonwealth and the states and the territories against domestic violence in Australia. The changes to the Defence Act 1903 will ensure that part IIIAAA will achieve this vital objective. The bill reflects the more complex and evolving threat environment, Australia’s recent security initiatives and the increasing range of tasks that could face the ADF when supporting Australia’s domestic security operations in the land, air and maritime environments.

The member for Werriwa asked how a Commonwealth minister would be satisfied that a state or territory would be unable to deal with a situation such as a terrorist incident. The answer is that the Commonwealth has and does work very closely and cooperatively with state and territory governments, particularly in this regard. This ensures the necessary exchange of information so that ministers may inform themselves as to the incident and necessary action to deal with the incident. I note that there will be circumstances, for example, when states and territories will have no capacity at all to deal with a situation. I can inform and reassure the member for Werriwa that the government is working with the states and territories and will continue to do so under this legislation. I refer the member for Denison to the debate in the Senate last week calling for a detailed consideration of the laws that apply following a call-out of the ADF.

On the opposition’s amendment to the motion that the bill be read a second time, I ad-
advise the House that the Australian government will consult very closely with state and territory governments to ensure that the legislation is implemented effectively and improves operational cooperation between the Australian Defence Force and state and territory authorities. The Australian government went through the process of refinement of the legislation in 2000, working very closely with the states and territories. The ADF and relevant Commonwealth authorities will continue to work with the states and territories to ensure the provisions of the bill are applied effectively. There is already close cooperation with the Victorian state government to ensure that the ADF continues to work closely with the Victorian civilian authorities to support the Commonwealth Games. This process will inform arrangements with other states and territories, noting that Australia will be hosting APEC in 2007, with key activities in several states.

I provide an undertaking to the parliament to ensure that these processes will continue to be refined. We do not accept that the opposition's proposal is necessary. Along with the Prime Minister—and, I trust, all my colleagues in the House as well—I am hopeful that there will not ever be an occasion for the provisions in this bill to be enacted, but it would be an undiligent generation of political leaders who did not seek to provide for the safety and security of Australia and its people or see, in particular, that legislation that gives effect to the call-out of Australian defence forces in these extreme and unforeseen circumstances is provided. With the support of the Australian people, the coalition will continue to lead with vision and diligence as we strive to protect and secure this great and free nation.

I thank all of the members in the House who have contributed to the debate and I thank the opposition for its support for this very necessary legislation.

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

Question agreed to.
Original question agreed to.
Bill read a second time.

Third Reading

Dr Nelson (Bradfield—Minister for Defence) (8.39 pm)—by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

APPROPRIATION BILL (No. 3) 2005-2006

Cognate bill:

APPROPRIATION BILL (No. 4) 2005-2006

Second Reading

Debate resumed from 8 February, on motion by Mr Nairn:
That this bill be now read a second time.

Mr Tanner (Melbourne) (8.39 pm)—I rise to speak on Appropriation Bill (No. 3) 2005-2006 and Appropriation Bill (No. 4) 2005-2006. First, I want to traverse a number of issues about the adequacy of financial disclosure of budget information under the Howard government. There are a number of issues that I believe we need to address. Secondly, I want to refer to a specific example that illustrates one of those particular issues. Thirdly, I want to deal with the pattern of government spending, in particular the excessive government spending that has characterised the Howard government for the last four or five years. Finally, I want to make
some general observations about the state of the Australian economy.

Late last year, the Labor Party established a consultation process with a substantial range of experts—commentators, economists and academics—who have considerable knowledge about the budget processes and the financial disclosure of the Commonwealth. We dubbed it Operation Sunlight. The purpose of this exercise is to obtain expert advice on a program of serious reform of the presentation of the budget and appropriations materials in order to ensure that we have genuine transparency and accountability and that it is possible for the Australian people generally, but particularly those who are the interpreters of budget information—expert commenters, economists, financial market people and other people who have to interpret and understand the budget information—to get genuinely accessible, meaningful financial information.

There is a list of particular issues that I wish to run through very quickly to indicate the kind of terrain that we are traversing. We are well advanced in our process of consultation and will hopefully, in the not too distant future, be announcing a set of proposed reforms that will become Labor’s commitment to greater transparency and accountability in government.

The outcomes and outputs framework that was introduced by the government a number of years ago is still fairly undeveloped. The elements are poorly linked across portfolios and in many cases the outcomes have little substantive meaning. For example, in Family and Community Services there is an outcome which reads as follows:

Families and children have choices and opportunities

Services and assistance that: help children have the best possible start to life; promote healthy family relationships; and help families adapt to changing economic and social circumstances and take an active part in the community.

That is an outcome that none of us could quibble with but ultimately, in the context in which it is put forward, it is effectively meaningless. It is a very general, bland statement of broad intent which anybody, no matter what their political viewpoint is, could happily sign up to. It does not really tell you anything in detail about what the particular aspects of the budget in this portfolio are. There is a problem with the outputs and outcomes framework.

The links between the appropriation legislation, which we are dealing with this evening, the portfolio budget statements and the budget itself are very poor. We have particular categories of expenditure which are highly aggregated so that in many cases it is not possible to tell how much is being spent on specific programs and in many cases it is very difficult to track the expenditure and the financial commitments from one set of financial documents to another across the appropriations legislation, the portfolio budget statements and the budget.

Intergenerational issues and the longer term implications of particular entitlements or spending categories are dealt with very inadequately. The government is commonly making new commitments, introducing new spending items, without any serious accounting for the longer term implications that they carry for the budget. There is insufficient detail with respect to spending in many areas. Particular programs are not identified separately and are subsumed within very broad outcome categories so that it is often very difficult to establish precisely what is going to be spent on a particular program or a particular agency.

Accuracy of estimation is a major problem. We received some information late today indicating that the level of error in esti-
mating the amount of expenditure for particular programs is very high. These are dubbed parameter variations when subsequent budget documents such as the midyear economic and fiscal outlook papers are put forward. In reality, they are mistakes. They are errors in estimation of the total cost of financial commitments or likely revenue. They are getting worse and worse.

Tax expenditures—and there is an example that I want to refer to specifically in my contribution shortly—are very seriously inadequately accounted for in the budget. They do not have anything like the degree of scrutiny and examination that a spending commitment has. Whereas a particular spending commitment will be properly accounted for and there will be projections into the future, a tax expenditure is simply reported upon very perfunctorily, even though the net effect is really the same. That makes it very difficult to compare and contrast a particular form of assistance to a section of the community or a particular initiative that is done by way of tax expenditure with one that is done by way of direct expenditure by the Commonwealth. If for no other reason than to understand priority choices, it is very important to be able to compare and contrast the two.

Standing appropriations, where there is in effect an automatic continuing appropriation outside the budget process, have become much more prevalent under the Howard government. Because they are not subject to the same level of scrutiny as the annual budget and the appropriations legislation, they, by definition, tend to detract from the degree of transparency and accountability that we see in the process of parliamentary scrutiny.

There is still an ongoing debate about which accounting standard, GFS or AAS—that is, government financial statistics or Australian accounting statistics—should apply. What tends to occur, although often you will get both being applied, is that governments tend to pick and choose which one they use according to which suits a particular political case. There is a long overdue need for us to rationalise this issue and to get to a point where there is a single agreed standard that is the benchmark on which all issues are dealt with.

There is a need for greater continuous disclosure of financial information. There is a need to reform the extent to which commercial-in-confidence is used by the government as a means of hiding things that are politically embarrassing—even in some cases where the commercial party to a contract may not be particularly concerned if they are revealed. There is, of course, the infamous description of the GST as a state tax, when the Auditor-General and the Australian Bureau of Statistics both agree that it should be accounted for as a Commonwealth tax which is then passed on to the states. Finally, there are serious questions with respect to the contingency reserve, which is the subject of relatively opaque and very limited reporting, even though it is encompassing a very substantial amount of money in any given year.

They are the issues that we are dealing with. The Labor Party, after due consideration of the very worthwhile suggestions we are currently receiving—we have received some quite detailed submissions from a number of people—will be putting out a specific program of budget reforms that are designed to ensure that more financial information is available, that it is more transparent, that there is a greater degree of accountability and that people have the ability to get the information that they feel they need.

I now turn to the specific matter that I think is a very good illustration of some of these problems—in this case, the misuse of a particular tax expenditure. One of the major
weaknesses in budget reporting is the minimal information provided with respect to tax expenditures. I want to raise a specific example. On 20 June 2003 then Assistant Treasurer Senator Helen Coonan announced that the Constitution Education Fund Australia would be granted deductible gift recipient status. The Income Tax Assessment Act was duly amended to provide for tax deductibility with respect to donations to CEFA. DGR status is usually very difficult to obtain and is available only to organisations which undertake activities of direct benefit to the community, such as charitable or educational activities. Organisations engaged primarily in political campaigning or advocacy do not qualify.

Close examination of the CEFA reveals that it is not quite what it seems. Its address is the same as the address of Australians for Constitutional Monarchy—Level 13, 189 Kent Street, Sydney. Its executive director is Kerry Jones, who, until very recently, was executive director of ACM. Her deputy in CEFA, Phuong Dong Van, has recently been notified to ASIC as Kerry Jones’s replacement at ACM. Both ACM and CEFA engage Kerry Jones Strategic Management Services Pty Ltd to run their affairs. KJSMS is also domiciled at Level 13, 189 Kent Street, Sydney.

According to the 2004-05 CEFA annual report, KJSMS raises funds for CEFA, manages its activities and pays its expenses. KJSMS has a very similar arrangement with ACM. The national convener of ACM, Professor David Flint, is a trustee of CEFA and is the signatory on the trustee’s report in the CEFA 2004-05 annual report. According to an answer to a question on notice from the member for Banks provided by the Treasurer on 17 November 2004, Professor Flint wrote to Senator Coonan in April 2003 seeking tax deductibility for donations to CEFA. CEFA and ACM have the same auditors—Bandle McAneney of Canberra. Neither ACM nor ARM, as political lobby groups, have tax deductibility.

The story gets really interesting when you take a look at the CEFA and ACM accounts. In 2002-03, the year before donations to CEFA were made tax deductible, ACM received $450,597 in donations. In 2003-04, this fell to $203,271, less than half that amount. CEFA received $348,545 in donations in 2003-04, all of it tax deductible. A similar pattern can be seen in ACM expenses. Between 2002-03 and 2003-04, ACM labour costs fell from $198,141 to $110,655. Promotions and events costs fell from $127,955 to $61,061 and office expenses fell from $102,632 to $48,634. CEFA expenses for 2003-04 totalled $293,727. A whopping 85 per cent of its total outgoings was spent on wages, rent and office administration. A mere $14,104 was spent on direct activities for which CEFA was supposedly established—the Governor-General’s prizes.

Things were not much different for 2004-05, when 81 per cent of total outgoings of $456,589 were spent on wages, rent and office administration. Expenditure on direct activities rose to a still very meagre $62,600. Interestingly, in the 2004-05 CEFA annual report, Kerry Jones stated:

All funds being raised for CEFA 2003-2005 are clearly designated for specific operational projects which meet the objectives of the trust. Donors can be assured that administration expenses are kept to the necessary minimum.

The CEFA 2004-05 annual report contains a statement of personal endorsement from Prime Minister John Howard. Apart from Kerry Jones and David Flint, CEFA’s board is a waxwork museum of crusty old monarchists such as Sir Harry Gibbs, Lloyd Waddy, Digger James, Geoffrey Blainey, David Smith, Hugh Morgan and Dame Leonie Kramer. The board includes two or three token republicans who are definitely not repre-
sentative of the ARM or the broader republican movement.

On 11 May, CEFA was publicly promoted by controversial right-wing Liberal member of parliament David Clark in a speech to the New South Wales Legislative Council. Governor-General Michael Jeffery is the patron of CEFA. According to an article posted on New Matilda on 9 February 2005 by the ARM’s John Warhurst and Allison Henry, CEFA has made no approach to the ARM about contributing to its activities, even though it is supposedly non-partisan in constitutional debates.

At the ACM-CEFA offices at 189 Kent Street, Sydney there is virtually no distinction between the two organisations. They share common facilities, including reception. When a member of the public visited these offices recently and asked for CEFA information on the republic debate, he was offered ACM material. When he stated that he specifically wanted CEFA material, the response was, ‘I think we’ve got some around here somewhere.’

Only one conclusion can be drawn from these facts: the ACM is engaged in a brazen tax scam, with the direct connivance of the Howard government. CEFA is simply an ACM front organisation, which exists solely as a filter through which donations to the ACM can become tax deductible. While CEFA undertakes a bare minimum of genuine activities to give it some outward legitimacy, in fact a large slab of ACM donations and expenses has simply been switched to CEFA. It operates from the same location as ACM, it is run by the same people and it has the same auditors. It is little more than a shell.

This is nothing less than a fraud on Australian taxpayers. Hundreds of thousands of dollars of tax which would otherwise be payable by ACM donors has been evaded by the use of this elaborate sham. While it is theoretically possible that there is some innocent explanation behind these facts, I find it very hard to conceive of one. If there is such an explanation, I urge the ACM to make use of their right of reply in the parliament.

The government should withdraw CEFA’s tax deductibility immediately. It should come clean on how this outrageous scam came about and why it failed to adequately police its own tax deductibility arrangements. That well-known republican Peter Costello might explain how this monarchist tax rort occurred on his watch. The former ARM leader and current federal member for Wentworth might also outline his view of this arrangement. Those ACM donors who benefited from the scam should pay the tax they rightfully owe.

I now turn to the issue of government spending generally. On a number of fronts, spending under the Howard government is out of control. I refer to the second reading amendment, which stands in my name and which I duly move:

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

“whilst not declining to give the bill a second reading, the House is of the view that:

(1) despite record high commodity prices the Government has failed to secure Australia’s long term economic fundamentals and that it should be condemned for its failure to:

(a) stem the widening current account deficit and trade deficits;

(b) reverse the reduction in public education and training investment;

(c) address critical structural weaknesses in health such as workforce shortages and rising costs;

(d) expand and encourage research and development to move Australian industry and exports up the value-chain; and

(e) address falling levels of workplace productivity; and
(2) the Government’s extreme industrial relations laws will lower wages and conditions for many workers and do nothing to enhance productivity or economic growth; and

(3) the Government’s Budget documents fail the test of transparency and accountability”.

We all recall the revelations late last year about Tumbi Creek; the Karratha Caravan Park, funded with a few hundred thousand dollars from the federal government; the hotel in Atherton; and various other projects, such as the steam train in Beaudesert that never ran. They are just the tip of the iceberg of the vast amount of waste and misuse of public funds by the Howard government: Networking the Nation, the Centenary of Federation fund, the Natural Heritage Trust and many others have all been vehicles for doling out largesse to people in marginal seats—particularly National Party held marginal seats—in order to prop up the government. How politically effective this is I think is uncertain. It is difficult to know without very intensive research, but it is economically appalling. It is a waste of taxpayers’ money and it is a misuse of taxpayers’ money. Bit by bit, the tally is mounting.

We have also seen an extraordinary misuse of the Commonwealth’s advertising budget, which mysteriously ramps up dramatically in the six to 12 months prior to an election, in order to advance the government’s political cause. The most recent example of this was the advertising to the tune of over $50 million in respect of the government’s industrial relations legislation, well before the legislation had even been finalised, much less tabled.

As we look around the various departments of state in the Commonwealth, we can see that there is a culture of waste and mismanagement—nowhere more so than in the Department of Defence. Having been a member of the Joint Committee of Public Accounts and Audit for extended periods, it is something of a depressing routine to be regularly dealing with the Department of Defence about waste, poor accountability, lack of financial management and all the kinds of things that you would hope are central to the appropriate management of such a crucial department as the Department of Defence.

In recent times the government has also acquired a habit of making new commitments to particular favoured constituencies, which inevitably will blow out in cost in five to 10 years time. A range of commitments such as the mature-age tax offset, the utilities allowance, the exemption from capital gains tax of retiring small business owners and the $1,500 co-contribution with respect to superannuation have relatively modest impacts on the budget—significant but not enormous—but it is inevitable that, because of demographic change, within five or 10 years the impact that those commitments will have on the budget will be enormous, just as it is equally inevitable that the current huge surpluses that are being driven by the commodity price boom will fade away.

It is worth noting that the current figures with respect to government spending as a proportion of gross domestic product are artificially favourable to the government because they do not take into account the impact of the new tax system in 2000—the introduction of the GST and all of the changes associated with that. In particular, they do not take into account the abolition of financial assistance grants.

Debate interrupted; adjournment proposed and negatived.

Mr TANNER—In particular, the figures for the percentage of gross domestic product taken up by federal government spending no longer include any equivalent of financial assistance grants. The last year that they did, the amount concerned was about $18 billion.
That was paid by the Commonwealth to the states and therefore counted as Commonwealth expenditure.

Fortunately, in the budget papers there is a yearly figure of a notional payment to the states figure that would have applied had the old system still been operating, so it is possible to fairly easily do an apples-to-apples comparison. What that shows is that federal government spending is still around 23.7 per cent of GDP once you factor in the equivalent of those financial assistance grants, which, of course, are now subsumed within the payments of GST revenue to the states. Interestingly enough, that is a substantially higher figure than the equivalent figure in the late eighties under the Hawke government and prior to the recession, which inevitably blew out the percentage of federal spending as a proportion of GDP, because GDP shrank and, by definition, spending increased. When you compare it with the equivalent period in the late eighties, you will see that federal government spending at that time was 22.4 per cent of GDP. If the Howard government were spending at the same level as the Hawke government in the late eighties, its expenditure would be $11½ billion lower—so much for the party of small government, so much for the party of the market, so much for the party of fiscal responsibility.

It is also interesting to note that very recently the lack of due process and the lack of true accountability on financial matters and expenditure in the Howard government were exposed by the Auditor-General. Section 31 of the Financial Management and Accountability Act empower the finance minister to enter into agreements with individual agencies that enable them to spend particular categories of money—for example, moneys that they receive through direct payments from the public such as charges and things of that nature. The opposition has no complaint with this. What we do have a complaint with, though, is the fact that the Auditor-General found in many cases that no such agreements had been entered into but that the agencies were behaving as if they had been.

The net effect of this is that billions of dollars of money have been expended without proper appropriation by the parliament. Under the Constitution, quite correctly, the government is unable to spend money unless this is approved by parliament, which is done, of course, by the legislation that we have before us tonight or by specific appropriations or, in some cases, by the minister—the finance minister, in this case—where they are given the delegated power to authorise particular kinds of appropriations.

That is just one small example of the Howard government’s lack of attention to detail and its lack of concern about how it handles taxpayers’ money. It is an indication that the Howard government regards your money as its money and is quite slapdash about how it accounts for it, very opaque in how it reports what it is doing with it and particularly keen to make use of it to increase its chances of being re-elected.

Finally, I want to make some general observations about the state of the Australian economy—observations which are appropriate in the context of a debate on appropriation. We all know that, superficially, the economic indicators are mostly positive; that growth has been continuous for the best part of 15 years; that unemployment is the lowest it has been for some time; that business investment, after a period of stagnation, has improved recently; and of course, most particularly, that commodity prices have soared and are therefore introducing substantial new flows of money into the economy just at a time when the unsustainable levels of consumer demand that have prevailed for a cou-
ple of years—six per cent per annum growth—have fortunately flattened off a bit.

The difficulty is that, while the superficial indicators have been mostly positive and generally there is a good feeling within the community about the state of the economy, underneath the fundamentals that are crucial to delivering longer term prosperity are rotting. The Howard government is sitting back complacently and idly thanking its lucky stars that a combination of intelligent stewardship by the Reserve Bank, major structural reforms in the eighties and nineties under the Hawke and Keating governments, a global economy that for the first time in decades has all the major economies in the world growing together and, of course, the engine of China driving demand for commodities are superficially keeping the Australian economy strong. But, at the same time as these things are occurring and we are enjoying the short-term fruits of them, underneath the fundamentals are rotting.

Our current account deficit is still around the six per cent mark and, unlike previous periods when we have had major current account deficits, we now have a huge trade deficit to go with it. Productivity has been declining for 18 months. Perhaps more disturbingly, since 1998 the ratio of Australian productivity to American productivity has been going backwards. Throughout the latter part of the eighties and well into the nineties, the gap between Australian productivity and American productivity narrowed substantially.

We managed to get our productivity up to a level of about 86 per cent of the American level—and that is quite good, because there are a range of issues, particularly scale, which will always have us a little bit behind—but since that time we have gone back to about 81 per cent. Partly, that can be explained by the extraordinarily poor performance that Australia and the Howard government have manifested in things like the roll-out of broadband. We are still well behind in the use of and access to broadband in this country compared with nations like the United States and Canada. We have very serious infrastructure problems, of which broadband is perhaps the most crucial example. Our household saving rate has now got into the negatives and appears to be entrenched in the negatives. Public expenditure on education and training is going backwards, and we are the only developed nation in the world where that is occurring.

We have been fortunate that various factors have kept the economy ticking over, particularly that debt-driven burst of consumer demand a couple of years ago, the increase in commodity prices and the fact that we have a strongly growing world economy that looks as if it will probably continue to grow, at least for some time. But, one way or another, as is always the case, the crunch is coming. I do not know when, but inevitably, when fundamentals are out of alignment so badly, the crunch will come.

What tends to happen in circumstances like these is that people start thinking that the laws of economics have this time somehow been suspended, that somehow it is all different—that, in this case, perhaps globalisation, China, India or whatever other alibi you can think of means that there will not be a day of reckoning. One way or another, there is going to be a day of reckoning for the Australian economy, when the fundamentals are so much out of whack, when so little effort is being made to invest in the core things that will deliver longer term prosperity and when we are so exposed, with a huge and growing foreign debt, a huge current account deficit, an enormous trade deficit and a big decline in household savings. These are all signs of a nation that is living it up, having a good time and not thinking about the future. The key
reason for that is that we have a government that is very happy to live it up, to splash money around and to turn a blind eye to the fact that the fundamentals are rotting.

The government’s only response to this critique is to talk about its industrial relations legislation. Australia already has one of the more deregulated labour markets in the world. In reality, the only net economic impact that is going to emerge from the government’s industrial relations legislation will be a reduction in living standards for a significant proportion of Australian workers, particularly lower paid workers with less bargaining power. It will not mean higher productivity; it will simply mean a transfer from one section of the community to another section of the community. Sadly, the people who are losing out are people who already do not have very much. It will mean greater inequality, greater tension in workplaces and, as a general principle, it will not have a significant beneficial impact on productivity.

That is the government’s only answer. That is its only reform agenda: to divide Australia, to punish those people who already have very little, when the fundamentals of our economy—investment, education, training, research and development, innovation, exporting—are all rotting. Those things are all in effect going backwards. We have to turn that around. (Time expired)

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

Mr McClelland—I second the amendment and reserve my right to speak.

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

Mr SLIPPER (Fisher) (9.10 pm)—I am particularly pleased to be able to join in the debate on Appropriation Bill (No. 3) 2005-2006 and Appropriation Bill (No. 4) 2005-2006. In preparing for this debate, I looked very closely at the papers before the chamber, and quite frankly I can understand why the member for Barton was somewhat reluctant to second the amendment moved by the honourable member for Melbourne. The member for Barton is, I believe, a person of great ability, great capacity and great understanding, and I am surprised that he would choose to lend his name to such a facile second reading amendment which is so far from the truth. But I suspect that the member for Barton might well be doing so in the interests of socialist solidarity.

Debating appropriation bills provides one of the few opportunities in the chamber when members are able to rise and talk about issues of concern to their local electorates. Sure, there is an opportunity to talk about the important issue of sound economic management, which the Howard-Costello government has conducted in this country since it was elected in 1996. If I have time, I may well return to that particular issue. But I am a member for an area where the population is going to double over the next 15 years, and we do have a major problem of ongoing infrastructure needs. The member for Melbourne mentioned that we have infrastructure needs as a country, and undoubtedly he is correct. But one of the difficulties we have on the Sunshine Coast is that people move from what I like to refer to as the ‘rust belt’ areas of southern Australia to the sun belt in ever-increasing numbers, and unfortunately it takes a long time for the infrastructure which our additional population requires to follow people from the areas where they previously were.
I have been a great campaigner for increasing the size of the Bruce Highway from Brisbane to the Sunshine Coast to six lanes. The worst bottleneck between the Sunshine Coast and Brisbane—that is, the area from Caboolture to Brisbane—is being removed by upgrading the Bruce Highway to six lanes, at least as far as Caboolture. This government is spending well in excess of $200 million in improving the access of the Sunshine Coast motorway from Caboolture to Brisbane to six lanes from four lanes. That will of course mean that people travelling from Brisbane to the Sunshine Coast for holidays, to live and to work will be able to do so much more quickly.

But, unfortunately, often our infrastructure needs tend to lag behind the increase in our population. I have been in touch with the Minister for Local Government, Territories and Roads, asking that the area from Caboolture to the Sunshine Coast proper have the size of the Bruce Highway upgraded from four to six lanes. Basically, I have almost camped at the minister’s door, but I regret to say that so far I have been singularly unsuccessful in getting the minister to agree to commit the additional funding necessary to improve the size of the Bruce Highway from Caboolture to the Sunshine Coast from four to six lanes. My major concern—that is, the amount of time it takes to travel from Brisbane to the Sunshine Coast—has been somewhat allayed because, by upgrading the Bruce Highway as far as Caboolture, we have dramatically reduced the worst bottleneck, which occurred when people travelling from Bribie Island, Caboolture and Kilcoy joined the Bruce Highway. But, having said that, particularly on Sundays and particularly at peak hours it is taking people far too long to travel from Brisbane to the Sunshine Coast.

So I thought, at this opportunity, I would rise in the chamber and plead with the minister to find the additional funds necessary to give the Sunshine Coast an improved access road from Caboolture to the Sunshine Coast by increasing the size of the Bruce Highway from four to six lanes. Were this to happen, of course, it would mean that the 80 per cent of people who travel to and from the Sunshine Coast by road would be able to do so in a much faster way, many more people would come to the Sunshine Coast, many more people would holiday there, there would be a boost to our local economy, there would be an improving local employment situation and the government would get much benefit, I believe, as a result of the additional financial investment in providing much needed infrastructure.

I know the national highway is the responsibility of the national government. But, increasingly, state governments are receiving a bonanza and a windfall from GST revenue. One of the other local problems we have on the Sunshine Coast is that the Beattie state Labor government, which has so singularly failed the Queensland community in the area of health, is also failing to spend the amount of money it needs to on local roads. So, on the one hand, we have got the difficulty of getting from Caboolture to the Sunshine Coast. That is the responsibility of the Australian government—I will be the first to admit that. I will be camping at the door of the minister for roads to make sure that we do get the additional funding, ultimately, to increase the size of that highway from four to six lanes. On the other hand, once you get to the Sunshine Coast there are so many state roads that provide bottlenecks. Regrettably, our state Labor members do not seem to have the capacity to adequately lobby the Premier of Queensland, Mr Beattie, to get the additional funding we need to improve our own local infrastructure, which is a responsibility of the state government.
As I said at the outset, in a debate of this nature one is able to traverse over a few areas. Recently I called for the abolition of the single-desk marketing of AWB Ltd. The single desk, I believe, is outdated, a relic of agrarian socialism and inappropriate in 2006. The single desk is hampering some alternative grain-marketing firms reaching into new international markets. It is important to keep close watch on export activities in what is clearly a volatile and cutthroat market internationally. But I believe it is quite wrong in 2006 to restrict those alternative companies that have the skills to market our grains to untouched and niche markets in order to maximise returns to growers. After I called publicly for an abolition of the single desk, I must say I was very pleased to receive support from a number of people in the industry. It is important, bearing in mind that this government has been in office for 10 years, that we ought not continue with an outdated socialist situation where we have a single desk. It is important to bring free market sensibilities into what remains a very important Australian export industry.

All of us would be concerned at the revelations in relation to AWB Ltd, but we have also heard that this company—and it is now a private company; the Labor Party would want us all to think that it was still the Australian Wheat Board—has used its monopoly position to charge high prices for its services. Media reports seem to suggest that rival grain traders support the use of legal action to break the monopoly. This sort of internal unrest in the industry is counterproductive. It cannot be good for the industry.

Many people believe that the National Party ought to have a veto on this issue. The Liberal Party holds more rural seats in the Australian parliament than The Nationals. I think that clearly indicates that neither party should have a veto on the issue. It should be a whole-of-government decision. The National Party is 13 per cent of the coalition—a very important 13 per cent, because without that 13 per cent the government would not be able to operate. But in 2006 it is important to look at free market realities. Thirteen per cent of the coalition ought not to have a veto over this issue. We as a government should sit down and think about this. It is important that we put the economic health of the entire nation first and foremost. It is important that we do away with what really is a residue of agrarian socialism.

The current inquiry into alleged kickbacks paid to the Saddam Hussein regime has only helped to suggest shortcomings in the current monopoly system. I just think this is one of the issues that will not go away for the government. I do not believe the government has done anything wrong, but the fact that we read about these revelations concerning AWB Ltd and we hear about them in question time indicates to me that we just do not need a single desk anymore. We are well beyond that. We should be able to compete in the international marketplace. We have got a lot of companies which would like to compete in the international marketplace. We have got a single desk behind us once and for all.

I would like to turn to a very important part of living on the Sunshine Coast, and that is surfing. I do not know whether you surf, Mr Deputy Speaker Jenkins. You may surf the net. I do not know whether you surf on the wonderful beaches of the Sunshine Coast. The Sunshine Coast boasts one of the most liveable natural environments in Australia. I know the honourable member for Wentworth, the parliamentary secretary at the table, is looking at me enviously over the fact that I represent, undoubtedly, what even he would admit is the most beautiful part of Australia. We have got wonderful beaches, glorious mountains ranges and year-round
warm weather. This of course makes the Sunshine Coast ideal for one of Australia’s most popular sporting activities, surfing.

Surfing is not only a great activity that promotes a healthy lifestyle for all groups; it also generates local business through surfing schools, tour operators, retail outlets and local clubs. The introduction of surfing as a school sport on the Sunshine Coast has paved the way for some of the nation’s elite professionals. Australians have been consistently rated as the best surfers in the world. I do know, given the generosity the member for Wentworth has expressed in the direction of some of his own local surf clubs, that he is well aware of the importance of this industry, not only to the Sunshine Coast but to other parts of the country where people also like to surf. The Sunshine Coast has many point and beach breaks that provide high-quality, well-shaped waves. The surf breaks, by large, are not as busy as those further south on the Gold Coast, which have seen regular incidents of surf rage due to overcrowding in the water.

The Australian government encourages surfing through the Australian Sports Commission with its Project CONNECT, which stands for Creating Opportunities Nationally through Networks in Education, Classification and Training, and the national sporting organisation Surfing Australia is creating athlete pathways for people with a disability, breaking down the barriers within disability- and non-disability-specific sport structures for people with a disability.

Project CONNECT is an initiative of the Australian Sports Commission. It assists national sporting organisations, including those for the disabled, develop and implement disability action plans specific to their sports. These plans aim to create pathways and break down the barriers in sport for people with a disability, ensuring their inclusion in generic sporting structures. Surfing Australia has been involved in Project CONNECT for over two years and, together with the Australian Sports Commission, it has developed and is well on the path to implementing an inclusion action plan for the sport of surfing.

I think it is important to recognise that Surfing Australia not only supports this wonderful sport but also is a very responsible social citizen. Surfing Australia supports the right of all people, regardless of age, gender, background, ability and/or disability, to be involved in all facets of surfing, including full and equitable participation in grassroots- to elite-level surfing. This includes all individuals involved in the sport—for example, volunteers, coaches, administrators, officials and surfers, both recreational and competitive. Project CONNECT provides an excellent opportunity for Surfing Australia to work closely with its affiliates and the Australian Sports Commission to provide the best possible opportunities for ‘sporters’ with a disability. Numbers of organisations on the Sunshine Coast are part of this organisation, and I want to commend in particular two local clubs—the Alexandra Heads Malibu Club and the Caloundra Malibu Club—which are members of this organisation.

I think most people in the community, regardless of where they stand politically, would want to commend the Liberal government for our ongoing success in maintaining what has been an incredibly successful period of ongoing positive economic activity, which has helped to maintain a stable economy, low interest rates, low unemployment and considerably stronger Australian living standards. I listened very carefully to the contribution made by the member for Melbourne. The member for Melbourne does have bursts of honesty, which at times do not necessarily suit him politically or in the community, but he did recognise publicly that we do have a very sound economy. He
did not quite give credit to the current government for our role in ensuring that we guarantee that the country does not spend more than it earns, but he recognised that we have a whole series of economic fundamentals out there that show that Australia is powering along fairly well.

Appropriation Bill (No. 3) 2005-2006 and Appropriation Bill (No. 4) 2005-2006 initiate modifications to the budget by providing additional financial support to various government programs. There is additional spending of somewhere near $2.63 billion, which is offset by about $603.9 million in savings. This rounds down, when one does the economic calculations, to spending of about $2 billion. Despite this extra spending, which is set out in the two bills, the government remains on track to wipe out totally the general government net debt within six months. Regardless of where you stand politically, you have to admit that this government during the last 10 years has done quite a remarkable job towards eliminating the debt of some $96 billion that was left behind by the Keating government for the Liberal government to clean up. Is it any wonder that the Australian people voted out of office a financially floundering Labor government in 1996? What has been done towards eliminating the debt of some $96 billion that was left behind by the Keating government for the Liberal government to clean up. Is it any wonder that the Australian people voted out of office a financially floundering Labor government in 1996?

In my previous manifestation as Parliamentary Secretary to the Minister for Finance and Administration, I was very much involved each year in legislation relating to additional appropriations. Appropriation Bill (No. 3) initiates much needed expenditure for various portfolios—from $110 million for employment and workplace initiatives through to primary industry support services and Defence initiatives, which will further build our international reputation as a supporter of peoples in need and so on. This Defence appropriation includes $40 million for a special forces task group to be sent to Afghanistan and $16 million for helicopters and other support initiatives also for that country. Foreign Affairs will receive additional allocations, including $10 million to assist further the Red Cross in ongoing work to relieve the effects of Hurricane Katrina in the United States of America. Allocations under this bill will also go towards the Australian Federal Police—who, I might say, do a wonderful job—to continue to strengthen security at our airports and build counter-terrorism measures. Assistance through Appropriation Bill (No. 3) will go also to environmental areas, including spending to help the Great Barrier Reef and funds for the detention and prosecution of illegal fishermen.

Appropriation Bill (No. 4) facilitates additional spending payments to the states and territories, including $346 million in GST payments, $304 million for farmers suffering from the effects of ongoing drought, and funding for the Tasmanian forest agreement. Expenditure modifications also include $131 million for the Department of Health and Ageing to help with the preparations for a possible pandemic of bird flu—and that has to be a scenario which all of us would have a concern about. Also among the allocations is a further $290 million to assist the Roads to Recovery program. On the Sunshine Coast, we have been extraordinarily successful in attracting funds under this program.

The two additional appropriation bills that are currently before the House continue to build on the government’s record of sound economic management while also providing the appropriate support for those important areas of need. In many respects, Australia is an anomaly in the world in that, under the Liberal government, we have been able to cut taxes while still maintaining important spending priorities, building an impressive surplus and, as I mentioned earlier, reducing...
Mr KELVIN THOMSON (Wills) (9.30 pm)—As shadow minister for public accountability, one of my tasks is to promote the importance for Australia of high standards of ministerial conduct and public accountability and to draw to public attention government departures from appropriate standards of accountability. Sadly, it is the case that the Howard decade has seen a serious decline in standards of ministerial accountability. The writer Shaun Carney referred to this in the Age on Saturday and academic Patrick Weller referred to it in the Australian today. Patrick Weller commenced his article with this lament:

How is it that we have in theory a system of responsible government, though no one is prepared to accept responsibility when things go wrong?

Shaun Carney concluded his article, titled ‘The end of responsibility’, by saying:

Direct responsibility at the ministerial level is almost certainly dead in federal politics.

What the AWB affair shows is not so much that ministers are now responsible for nothing beyond the perimeters of their personal workspace but that it is becoming a matter of outraged amusement for most ministers should anyone dare suggest that it should be otherwise.

It has not always been so. The start of the Howard decade was characterised by the rigorous enforcement of the code of ministerial conduct. It saw ministers and parliamentary secretaries go down like ninepins for breaches of the code and failure to properly handle conflicts of interest. So the Prime Minister simply stopped enforcing his code, and we started hearing more and more about the escape clauses. For example, A guide on key elements of ministerial responsibility states that ministerial responsibility does not mean that ministers bear individual liability for all actions of their departments. It says that, where they neither knew nor should have known about matters of departmental administration which come under scrutiny, it is not unreasonable to expect that the secretary or some other senior officer will take the responsibility.

The flip side of this, of course, is that if ministers should have known about matters of departmental administration which come under scrutiny they must accept responsibility. But things have now degenerated to the point where this is completely ignored and the Prime Minister demands proof that ministers have actually read documents addressed to them. The government revels in its incompetence. It does not matter how strong the evidence is that Howard government ministers knew or should have known of the AWB kickbacks. For example—

Mr KELVIN THOMSON—It is the appropriation bill, Mr Deputy Speaker.

The DEPUTY SPEAKER—In what part of this are you talking to the appropriation?

Mr KELVIN THOMSON—Mr Deputy Speaker, in a debate on an appropriation bill all members of the House are able to comment on matters of public importance. The member before me spoke to the AWB matter and so am I. It does not matter how strong the evidence is that Howard government ministers knew or should have known of these kickbacks, and it does not matter how often the gun is found in their hands; they
say, ‘Show us the smoke.’ As a result, ministerial standards continue to decline. For example, the Department of Foreign Affairs and Trade put out a statement to say that it knew nothing of kickbacks paid by AWB, and Minister Downer says that he relies on that as evidence. But such a press release could only have any credibility if there were a possibility that the department would put out a press release contradicting the minister—and that idea is ludicrous. Permanent heads are no longer permanent; they are on three- to five-year contracts which can be terminated at the decision of the Prime Minister.

But we can see here that Minister Downer is attempting to put so much distance between himself and his department that they put out their own press releases, as though ministers are not even nominally responsible for their actions. A key problem in this breakdown of ministerial accountability has been the explosion of ministerial advisers. These are political appointments whose growth in numbers has two serious consequences for public accountability. Firstly, they contribute to the politicisation of the Public Service by interfering at ever more junior levels of decision making—ministers used to have to work through departmental heads but now, through their advisers, they are everywhere. Secondly, the advisers now constitute a key line of defence for ministers when the balloon goes up. People can say that they have written to ministers—and departmental minutes and correspondence can be found—but ministers allege that they personally did not know, despite the matter having gone to their office. The advisers only speak to the media or to the public when it suits them and cannot be called by Senate estimates committees, so the old principle of neutral, impartial public servants giving advice which ministers accept or reject—accepting responsibility for the consequences—has gone. We now live in a shadowy nether world where finding out what ministers personally knew or what they personally did is like finding a white mouse in a snowstorm.

Let me provide the House with some examples. Presently, this country is engaged in a war of aggression in Iraq which is without the sanction of the United Nations. When the Prime Minister gave an address to the nation on 20 March 2003 announcing Australia’s decision to participate in the invasion of Iraq, he said:

I want to assure all of you that the action we are taking is fully legal under international law. Back in the early 1990s resolutions were passed by the Security Council authorising military action against Iraq.

That action was only suspended on condition that Iraq gave up its weapons of mass destruction.

The Prime Minister went on to say:

Clearly we all know this has not happened.

The DEPUTY SPEAKER—Member for Wills, an appropriation bill is an opportunity for members to range across the government’s appropriation and talk about all sections of the appropriation. It is not an opportunity to attack the Prime Minister or ministers. That must be done by substantive motion. I bring you back—

Mr KELVIN THOMSON—Mr Deputy Speaker, I will be taking this matter up with the Speaker. I regard that as an outrageous ruling.

The DEPUTY SPEAKER—You may. I have ruled on this.

Mr KELVIN THOMSON—I have never heard members of this House being pulled up for raising issues to do with the Prime Minister in the appropriation debate.

The DEPUTY SPEAKER—If the member for Wills wants to argue with me, I will sit him down.
Mr KELVIN THOMSON—The appropriation includes money for expenditure on defence, it includes money for expenditure on the war in Iraq and therefore I am in order in speaking about the war in Iraq.

The DEPUTY SPEAKER—The member for Wills has been told he can discuss those issues but he cannot attack individual ministers or the Prime Minister. That must be done by substantive motion.

Mr KELVIN THOMSON—Mr Deputy Speaker, clearly Iraq did not have weapons of mass destruction. We can only conclude, therefore, that the invasion of Iraq was in fact illegal under international law. You would think there would be consequences; you would think there would be recriminations; you would think heads would roll—you would be wrong: no heads rolled. The Prime Minister and his ministers claimed they were acting on advice from their security chiefs, so they could not be held to account. This advice never materialised, and no security chiefs, if any of them really did provide this false advice, were ever brought to account.

No-one was responsible for this debacle. Perhaps society was to blame. Responsibility just sat out there in the murky nether world between departmental officials and ministers, as it so often does with this government. The Prime Minister’s address to the nation of 20 March 2003 also expressly accused the government of Iraq of being a funder of terrorism. The Prime Minister said:

Iraq has long supported international terrorism. Saddam Hussein pays 25—

The DEPUTY SPEAKER—The member for Wills continues to ignore the chair. He will resume his seat.

Mr KELVIN THOMSON—I am quoting the Prime Minister. Is it no longer in order for me to quote the Prime Minister in this House?
ber states to: first, prevent and suppress the financing of terrorist acts; second, criminalise the financing of terrorist acts; and, third, prohibit their nationals or any persons or entities within their territories from making any assets available to terrorists or entities associated with terrorism.

The Howard government implemented this resolution through the Suppression of the Financing of Terrorism Bill 2002. That bill passed through this House in March 2002 and the Senate in June 2002 and came into law on 6 July 2002. The act establishes the offence of financing terrorism, providing that anyone who provides funds, regardless of whether the funds will be used to facilitate or engage in a terrorist act, is guilty of an offence. The offence can be anywhere in the world. It is not limited to Australia. It can be committed by a corporation like the AWB, where the penalty is a fine of up to $1.1 million, or by an individual, where the maximum penalty is imprisonment for life. There is now no doubt that AWB provided kickbacks to the Iraqi regime and no doubt that it did so after July 2002.

Mr Kelvin Thomson—Mr Deputy Speaker, you may not like what I have to say.

The DEPUTY SPEAKER—The member for Wills may take this up with the Speaker but he will resume his seat.

Mr Kelvin Thomson—You may not like what I have to say but I still have a right to say it—

The DEPUTY SPEAKER—He will resume his seat. I call the member for Ryan.

Mr Johnson—Mr Deputy Speaker, I am pleased to speak in the parliament tonight on the appropriation bills. This is an important—

The DEPUTY SPEAKER—The member for Ryan will resume his seat.

Mr Kelvin Thomson—I wish to move dissent from your ruling.

The DEPUTY SPEAKER—You will have to do that in writing. If you want to put it to the test, you could move the motion that you be further heard, which will put it to the test of a vote.

Mr McClelland—Mr Deputy Speaker, I rise on a point of order. I note the issues debated prior to this division in the House. Without judging the issue, and in spite of that argument, it seems to me that the practicalities were explored in his speech. Noting your argument that—

The DEPUTY SPEAKER—If the member for Wills draws his speech back to the
The chickens of this failed policy are now coming home to roost. The Iraqi government has suspended all wheat imports from Australia. So it is Australian farmers who will now pay the price for this cowboy foreign policy, the bribes and kickbacks entered into by AWB, and the culture of cover-up—don’t ask, don’t tell—which has become the hallmark of this government. If anyone at all still believes that the AWB thought it was complying with the UN sanctions, they should have a look at the BHP Tigris deal. BHP and AWB concocted a scheme to recover a debt from a BHP wheat shipment—

Surely the member for Wills can link this to something in the bill in order to help me out, because at present he is continuing to read a speech.

Mr KELVIN THOMSON—Mr Deputy Speaker, I draw your attention to standing order 76(c), ‘Exceptions to confining debate to the question’. It says that one of the three exceptions—

On the motion for the second reading of the Main Appropriation Bill, and Appropriation or Supply Bills for the ordinary annual services of government, when public affairs may be debated.

It is an express exception to the rule about confining debate to the subject matter of the bill. That is why I have had a far and wide-ranging speech in relation to this bill, and so have other members speaking on the appropriation bill. I can recall myself and many other members talking much further and wider in relation to issues of public administration than I am doing here. I am talking about matters of public administration. I am saying exactly what this government has been up to in relation to the war in Iraq and the conduct of the Australian Wheat Board. That is why I have raised the conduct of the Wheat Board and the fact that the government was clearly aware of the problems associated with those bribes and those kickbacks.

My understanding is that the Australian Wheat Board is not funded by the government.

Mr KELVIN THOMSON—Mr Deputy Speaker, I draw your attention again to standing order 76(c), which says that public affairs may be debated. The conduct of the Wheat Board is a public affair. I know that there are some members in this house who do not want to hear about the Australian Wheat Board, but it is a legitimate matter of public importance and that is why we should be talking about it now, and other members should be talking about it as well. The member for Fisher, who spoke before me, proposed that the single desk be abolished. No one pulled him up and said, ‘You’re not speaking in relation to the appropriation bill.’

If anyone at all still believes that the AWB thought it was complying with the UN sanctions, they should have a look at the BHP Tigris deal. BHP and the AWB concocted a scheme to recover a debt from a BHP wheat shipment to Iraq. For a recovery fee of $500,000, the AWB secretly inflated wheat contracts under the oil for food program to help recover BHP’s debt. They did this despite a federal government ruling expressly telling them that trying to recover money for
the wheat would contravene the UN sanctions program.

BHP had been given approval to provide the wheat to Iraq only on the basis that it was a gift. Anything else would breach the sanctions regime. Subsequently, it decided to recover $US5 million for the wheat with interest. The Department of Foreign Affairs and Trade expressly told BHP executives Tom Harley and Mr Charles Stott, then of the Wheat Board, that trading with Iraq was banned, so seeking payment for the wheat would breach sanctions. Mr Stott was not happy. He said, ‘This sanctimonious position is inhibiting our trading relationship with Iraq and has resulted in lost opportunities’ for AWB.

So instead of dropping the matter, Mr Harley and Mr Stott worked on getting around the UN sanctions and recovering the money anyway. Mr Harley from BHP is a very well connected Liberal Party figure. Meetings of one of the Liberal Party factions have been held at his home and the Howard government appointed him to chair the Australian Heritage Commission. What is BHP going to do about Mr Harley, who is now covered in the stench of the stinking, rotting carcass of the Tigris deal? This was a straight up and down attempt to deceive the UN by BHP and AWB. These companies put out bucket loads of flowery words about their commitment to ethics and high standards of corporate governance—all that blah blah. Let us see some action to match those words.

Then there is the Wheat Export Authority. It admitted it had examined reported kickbacks from AWB to Iraq, contrary to the evidence it gave to a Senate committee in November. But the authority found no evidence of illegal payments, with chairman Tim Besley declaring it had given AWB a ‘clean bill of health’. Again, this is not good enough. Both the failure to discover and the failure to disclose are indicative that the Wheat Export Authority has failed in its primary mission to safeguard Australia’s wheat trading reputation. What is the government going to do about this? Turn the usual blind eye, I suppose. Lord Nelson has nothing on those opposite.

I want to take the House back to the Prime Minister’s statement of 31 January, when he said:

There were no alarm bells, there was no suggestion, there was no evidence before us that AWB was paying any bribes ...

Can the Prime Minister tell us what would constitute an alarm bell for him? We had the issue raised with us by the UN in 2002, after the Canadians raised it with them, for the very good reason that the Iraqis had asked them to pay the same sorts of bribes they were getting from AWB. How was this not an alarm bell? Then in 2003 the American lobby group US Wheat Associates made a formal complaint to US Secretary of State Colin Powell. How was this not an alarm bell? There is a quaint if somewhat vulgar expression in Melbourne: he didn’t know if a tram was up him till the conductor rang the bell! To hear the Prime Minister say there were no alarm bells ringing about AWB kickbacks—

The DEPUTY SPEAKER—Order! Member for Wills, I do not think that is parliamentary language.

Mr KELVIN THOMSON—I withdraw. I am nevertheless reminded of that expression. Those photos of AWB officials posing with guns in Iraq speak volumes about a cowboy outfit with a frontier mentality and a contempt for the international rule of law.

Of course, we have seen this all before. In March last year we saw pictures of the gun-toting $US20,000-carrying Liberal Senator Ross Lightfoot in Iraq. The Prime Minister
refused to hold an inquiry into that matter, and boldly stated that he accepted Senator Lightfoot’s explanation of the matter, even though Senator Lightfoot had changed his story about the incident more than once. We never did get to the truth of the matter, although I did compose a limerick to try and tell the story. (Time expired)

Mr JOHNSON (Ryan) (9.56 pm)—The Australian public have just heard a complete diatribe—absolute claptrap—from the shadow minister over there. He is paid to represent an electorate with good representation. All he has been able to do is focus on completely irrelevant matters not relating to these bills. This debate is about Appropriation Bill (No. 3) 2005-2006 and Appropriation Bill (No. 4) 2005-2006. These bills are about the funding of the Commonwealth government and I am pleased to speak on them in a more substantive manner.

The scope and originality of these bills range across whole areas of Commonwealth government: mental health, drought assistance, bolstering our defence commitments and preserving Tasmanian forests. All these areas demonstrate that the Howard government is absolutely focused and committed to representing the people of Australia. That is why in October 2004 the people of Australia— and, in my case, as the federal member for Ryan—overwhelmingly re-elected the Howard government. At the past four elections the people of Australia have re-elected a coalition government. Over the past 10 years some 1.7 million-plus new jobs have been created, most of them full time. Australia’s unemployment rate today sits at a record low level. We have a 30-year record low level of unemployment, something that would have been unimaginable during the Hawke-Keating years. There has been a huge improvement from the 10½ to 11 per cent unemployment we had when the current Leader of the Opposition was the relevant minister for employment—or, as we all know, the relevant minister for unemployment.

The Howard government will be celebrating 10 years in office in early March. One reason why we will be doing that is that, as I have alluded to, the people of Australia overwhelmingly re-elected the Howard government and gave us a majority in the Senate. One reason why they did so was that the...
alternative was unpalatable. Can the Australian people for just one moment imagine what it would have been like had the former member for Werriwa, the former Leader of the Opposition, become the Prime Minister of this country? As the Treasurer touched on in question time the other day, if he can damage a camera and smash it to pieces, what would he have done to interest rates in this country? What would he have done to the reputation and the integrity of this country? What would he have done to the stability of the US alliance? That is something that all of us on this side of the House know he has absolutely little concern for.

Those on his own side of politics now rue the fact that they elected him. I am not sure if the shadow minister at the table, the member for Barton, cast his vote in favour of the former Leader of the Opposition or the current Leader of the Opposition. Who knows? I am sure he has given it a lot of thought since. I suspect that he was very weak in his deliberations and turned his focus to the former member for Werriwa, Mr Latham. (Quorum formed) Once again we have a federal Labor member turning his attention to distracting the parliament and distracting coalition members when they are speaking on important policy matters. If only Labor members decided to focus on policy, they might just win an extra seat or two. But I doubt it very much, because all they are interested in is party infighting and challenging shadow ministers.

I turn my attention now, since an opposition member kindly reminded me of this, to the former leader of the federal Labor Party and his contribution to this parliament. I want to turn the House’s attention, and indeed that of the public, to some of the fine words of wisdom from the former Leader of the Opposition. On page 186 of his book, where he talks about the contribution of the unions—

The DEPUTY SPEAKER (Hon. IR Causley)—Member for Ryan, I hardly think anything from the former Leader of the Opposition has anything to do with this debate. It is a debate on the appropriation bills, and I would draw you back to the appropriation bills.

Mr JOHNSON—Thank you, Mr Deputy Speaker. I am happy to link this to the appropriation bills in this sense. The Howard government’s contribution to the national economy would have been very different had the Labor Party won office. The alternative Prime Minister that was put up by federal Labor at the time was the former member for Werriwa. It is important that the people of Australia know the judgment capacity of the Labor members sitting in this parliament. This goes to the very question of their judgment. That is why it is important. They put up in the former member for Werriwa someone to be Prime Minister of this country, and therefore it is very important—

The DEPUTY SPEAKER—Member for Ryan, this has nothing to do with the appropriation bills. Come back to the appropriation bills.

Mr JOHNSON—Thank you, Mr Deputy Speaker. I am happy to come back to the policies and the substance of these appropriation bills, because that is why the people of Australia re-elected the Howard government in October 2004. We know that many of the initiatives covered by these appropriation bills have been spoken to by other members of the parliament, including those on the coalition side. Let me turn my attention to some of those matters. The Howard government remains very focused on delivering to the Australian people the security of a strong economy—security that was absent under the previous Labor government—to allow people to provide the very best for their families and to confidently plan for the
future. As the member for the federal seat of Ryan in the western suburbs of Brisbane, I know just how important issues like interest rates and the mortgage payments of families are to ordinary and everyday constituents in my electorate.

One of the mandates that the people gave to the Howard government was to continue to work hard and to ensure that interest rates are kept as low as possible. The Labor economic record speaks for itself. When it left office, Labor’s final budget in 1995-96 was a deficit to the tune of two per cent of this country’s GDP—in excess of $10 billion, the equivalent of almost $20 billion in today’s terms. In its last five budgets Labor deficits totalled some $70 billion.

The Howard government was able to restore the budget to surplus in the 1997-98 budget, a year ahead of predictions. Since then the Howard government, with the Treasurer having responsibility for economic management, has contributed surplus budgets for the benefit of the Australian people. The 2005-06 budget was in surplus by $8.9 billion.

Job creation has been a top priority of the Howard government. We know exactly where the Labor Party stood when it was in office. I touched on the comparisons earlier in my presentation. Almost one million Australians were unemployed in 1992, when Mr Keating was Prime Minister of this country. Since 1996, when Mr Howard came to office, leading a coalition government back into office, 1.7 million new jobs have been created and the unemployment rate has fallen to its lowest rate in three decades.

We all know that tax reform is very important to the continuing prosperity and economic development of this country. This government has a major focus on discussion and dialogue about the rates of taxation and where the balance is right for it to be able to service its needs as the government of the day whilst always remembering that taxes belong to the Australian people. It is the people’s money. It is the money of the people of my electorate of Ryan. It does not belong to a government as such. Any revenue collected by a government is always the people’s money. The government has a commission to act in the best interests of the Australian people.

We know that the opposition voted against $21.7 billion worth of tax cuts in the 2005-06 budget. This is despite the fact that now, as a result of successive tax cuts in the 2003-04, 2004-05 and 2005-06 budgets, over 80 per cent of taxpayers will face a top marginal tax rate of 30 per cent or less and taxpayers will not reach the highest marginal tax rate until they earn approximately three times the average weekly earnings. Let us turn our minds back to last year when the Treasurer delivered his budget. We did not get the full support of the federal Labor Party. In fact, they stood shoulder to shoulder voting against any tax cuts that this government wanted to put through. The Australian people will remember that very well indeed.

A report on Australian social attitudes released by the Australian Bureau of Statistics in 2005 found that some 80 per cent of people surveyed said that they were very proud of Australia’s economic achievements. Indeed, they have every right to be proud. They have invested in this government. Through the re-election of the Howard government they have invested very strongly and very confidently in the leadership of this country.

The magnitude of Australia’s successes under this government is particularly stark when ranked against the management of this country when Labor was last in office. I remind the people of Ryan that, if they ever have any doubt, if they ever have any reservation about what the Labor Party could do
to the economy, they should turn their minds back to interest rates that were double digit, 20 per cent plus. If people were in small business, it was almost 25 per cent or 26 per cent. I well recall my parents facing great stress when they had to come to terms with paying interest rates for the home that they now own.

Fifteen years ago, Australia’s income per capita had fallen to 19th in the developed world. Today Australia is roughly the eighth highest. In today’s Australian my electorate of Ryan is ranked sixth for general levels of happiness and satisfaction among constituencies across the country.

Mr Ruddock—It must be the quality of their member.

Mr Johnson—I am sure that they are delighted that their federal representative is a hardworking, dedicated and very committed Liberal member, but I will be modest enough to say that it is because of the confidence that the government of Australia has been able to create by its strong national leadership in all affairs of state—from the economic management of this country to protecting our borders through strong national security legislation. I am delighted that the Attorney-General is in the House this evening. I am honoured that he is here as I make my presentation on the appropriation bills.

As the federal member for Ryan, I have the privilege of representing the constituents of Ryan. I find it very important to remind them what Labor did when it was in office. Were Labor ever to get back into office, there would be no sympathy whatsoever for the deep pockets that would have to be found amongst the people of Ryan because of what would follow—a skyrocketing of interest rates, something that the overwhelming majority of Australians and Australian families had to face very significantly previously.

We know that the net government debt that the Howard government had to deal with was quite substantial as a result of the Labor legacy. There was an average government debt across the OECD nations of approximately 50 per cent of GDP. This has now been almost eliminated. Total household disposable income has grown in real terms by more than a third over the last decade. Over the same period, real private sector wealth per capita has more than doubled.

Due to the combination of the relatively low levels of taxes paid by the poor and Australia’s very progressive policies, OECD research has shown that Australia redistributes more to the poorest 20 per cent of its population than virtually any other developed country. We can be very proud that we give enormous emphasis to those Australians who are less fortunate than ourselves and who need as much assistance as possible.

I want to say to the people of Ryan that it is a great pleasure—a great honour—to represent them in the Australian parliament. The Howard government will not forget the faith that they have placed in the coalition government. I am sure that all my colleagues on this side of the parliament will fully acknowledge that we have a great honour in representing the people of Australia as their government. In this new year of 2006 it is incumbent upon us to rededicate ourselves to the hard work that lies ahead in keeping on track the economic progress and economic successes acquired in the last decade.

We do not want to have a recession. We do not want to have ‘the recession we had to have’ that was the handiwork of the Labor Party and former Prime Minister Keating. I am delighted to be able to say that the Howard government will continue to focus on reform. Reform fatigue is not part of this government’s vocabulary. Reform fatigue, quite remarkably, is something that belongs
to the federal Labor Party. One would think that in opposition your focus would be entirely on coming up with policies and ideas and rejuvenation. Yet all we have is the opposite. All we have is federal Labor members at each other’s throats, with former leaders of the Labor Party criticising current leaders and indeed a former federal Labor leader fighting for his political skin.

The DEPUTY SPEAKER (Hon. IR Causley)—Member for Ryan, I fail to see how this has anything to do with the appropriation bills.

Mr JOHNSON—I commend the appropriation bills to the House. I am delighted that the national economy will continue to be in the hands of a coalition government.

Mr MARTIN FERGUSON (Batman) (10.15 pm)—As I rise this evening to speak on Appropriation Bill (No. 3) 2005-2006 and Appropriation Bill (No. 4) 2005-2006 I suggest that it is difficult to provide a detailed critique of them, given the loose descriptions of the outcomes and outputs in the budget documents. Moreover, this is part of a long-term trend towards lower standards of transparency and accountability in budget documents and fiscal disclosure.

It is no wonder: this government has a lot to cover up—and not just the Australian Wheat Board scandal. Much of its spending has been brazenly wasteful and politically motivated. I refer particularly to the exorbitant propaganda campaign provided for by these appropriation bills to sell the Howard government’s draconian industrial laws to the Australian people using taxpayers’ money—their money. There was the Regional Partnerships Program, which was nothing but a pork-barrelling campaign for the coalition in the lead-up to the last election. I will also remind the House this evening that this is a government that blew $66 billion to get itself re-elected in 2004.

This is a big-spending government, living for today, ignoring intergenerational issues and the prospect of a shrinking tax base, and failing to invest in the important things for tomorrow, particularly education, skills and training for Australian workers. This is a government that spends more than nine per cent of GDP on welfare but directs it to rich families. It is a government that makes access harder for those who really need it. This is a government that pays welfare to millionaires. It pays millionaire wives to stay at home but expects poor single mothers to go out to work for $3 an hour.

As my colleague the member for Rankin has expressed and exposed, 76 millionaire families received welfare payments last year alone, along with 38,000 families on incomes above $100,000 per annum. In the next few years is it any wonder that Australia’s total welfare bill is likely to reach $100 billion a year? This is a bill the nation cannot afford. It is a bill the nation should not have to pay at a time when unemployment is low and the country is riding the wave of a resources led boom. Welfare dependency should be falling, not rising to the highest levels ever seen in Australia’s history. I agree with the member for Rankin when he says that Australia’s welfare state is out of control.

Meanwhile, with welfare at unprecedented levels, the biggest threat to the economy is the lack of skilled labour. Workforce participation is not as high as it should be. Recurrent public spending on vocational education and training dropped by 3.1 per cent in 2004. This government has turned away 300,000 Australians from TAFE places since 1998. Spending on health is spiralling out of control—at nearly 10 per cent of GDP. Nothing has been done to address the critical structural weaknesses and workforce shortages.
Before I discuss workforce shortages specifically this evening, I ask the House to contemplate the gravity of the health and welfare cost burden and to consider its unsustainability. Almost 20 per cent of Australia’s GDP is gobbled up in health and welfare spending every year. It is one-fifth of our production and the bill is growing. That is what it amounts to. Returning to the issue of workforce shortages, this government’s answer to the problem of the shortage of doctors is to increase full-fee-paying places for medical training. It is a policy measure that will only encourage Australian trained doctors to chase the big money overseas to pay off their exorbitant debts or to restrict access to the rich. The reality is that we need more HECS places for Australian students and we need programs that will encourage young people into training and retain those Australians most likely to fill chronic shortages back home in Australia—and also those especially important shortages in remote and regional areas. The people for those areas are not likely to come from the inner urban rich. They may well be bright kids from poor rural households who just need a fair go to get a start in life.

In my own portfolio, resources, the same thing unfortunately applies with respect to skilled labour. The facts show that we are not training enough people in engineering, science and trades who are prepared to work and live in remote and regional Australia where our mines, resources, forest industries and oil and gas industries are—industries that we are so dependent on.

When I gave my speech on the 2004-05 supplementary appropriation bills just two days short of a year ago, I suggested to the House that little had changed. Australia was then riding the back of a resources boom. That remains the case today. A year ago I said in the House that if this government were really serious about job creation and economic growth it would do something about the skills shortage in this country—a shortage which unions and employer groups both said was holding back economic growth. I said then that:

... $20 billion worth of major infrastructure and resource projects could be in jeopardy as a result of skills shortages primarily in trades and engineering areas.

I said the skills shortages were placing a serious capacity constraint on the economy. A year has passed but nothing has changed. The only difference is that today it is not me, the member for Batman and shadow minister for resources and tourism, saying it; it is the Reserve Bank of Australia. The Reserve Bank has acknowledged in its quarterly statement on monetary policy that skills shortages flowing through to labour costs are putting pressure on inflation. That is an issue of major concern to the Australian community. What it did not say was that this is a bad sign for investment and for new and expanded infrastructure and resource projects—the projects that underpin the economic health of Australia at the moment. Yet as far as skills and training is concerned, all we got from COAG last week was spin and no solutions.

I believe that this is a government of inertia—a government that is failing to properly and urgently invest in skills and in the training of Australian workers. This is a government that has failed the test of national leadership and allowed COAG to fall into the same inertia trap, with review after review. You just need to go through the list of outcomes from last Friday to see committee after committee and task force after task force, with more layers of oversight and more rhetoric, but no action and no real reform. That is the conclusion one gets from reading the outcomes of COAG from last Friday.
It is worth taking a hard look at COAG because we really have to think about where we are going as a nation. When I read the human capital component of the national reform agenda, what struck me most was that Australians would be surprised that it is suggested that this is a new agenda. We would all agree that the principles are honourable, but that is no more than we should all expect of good governance. In particular I note the commitment to a national approach to early childhood development and a focus on health promotion and disease prevention. However, the COAG communique is lacking any significant level of detail that would identify what action will be taken over the next few years to make serious inroads into these goals—although we have been promised various reviews and implementation reports some time down the track.

The next plank in the national reform agenda is competition. Competition with respect to energy, which is one of my portfolio responsibilities, must be a priority. Whilst the commitment to a progressive national roll-out of smart meters from 2007 is to be commended, it is highly qualified. Again, only time will tell whether the initiative is truly national in character. Beyond that, we have been promised a recommitment to earlier COAG reform proposals and a new ‘high-level expert energy reform implementation group’. I must say that is interesting, given the history of so-called energy reform in Australia. This new committee is due to report back to COAG before the end of 2006 on a range of energy market issues, including options for a national grid—I have heard that before—structural weaknesses in the electricity market and financial and market pressures to support energy markets. What the communique does not say is that this new committee is the Prime Minister’s latest attempt to address the inertia of his energy minister; the Ministerial Council of Energy, which also reflects some criticism of state and territory energy ministers; and the National Electricity Market Ministers Forum on real energy policy issues. Collectively, they have done virtually nothing over the last five years to progress these issues. This is an exceptionally important point, because we are no further advanced on the national energy market reform than we were when the Parer review was announced in June 2001, along with the establishment of the ministerial council and the national energy market.

The Parer review was released in December 2002 and only a handful of its recommendations have ever been implemented. It was August 2002 when the Productivity Commission review of the gas access regime was released. COAG now promises a response by the end of 2006. Guess what: a full 2½ years later—and people suggest that this government does not suffer from inertia! Then we go to post Parer, in 2002. Legislation was introduced in mid-June 2004, at the eleventh hour, to set up the Australian Energy Regulator and the Australian Energy Market Commission. It took another year to agree on who would head it, where it would be located and how it would interface with the ACCC, with operations not actually commencing until July 2005. I would hate to see a government that was in a big hurry. And this government tends to suggest it is committed to reform! This government’s answer to the problem is to go back to June 2001 and make the same mistakes again: another national body, a review of the same issues and still no action or leadership at the national level.

I remind the House of these issues this evening because nothing has changed in the last year. It is almost as if today is groundhog day. A year ago, I said:

Internationally competitive supplies of energy are critical to Australia’s global competitiveness in a range of manufacturing and value adding indus-
tries, and while the success of the reforms of the 1990s cannot be denied, nor can the fact that much more needs to be done.

And that is the challenge to the House. COAG recognised this by commissioning the Parer report, but little action has been taken by the government. The Parer report correctly identified all the deficiencies in our energy markets but unfortunately barely any of its recommendations have been implemented. Our electricity and gas sectors remain burdened by excessive regulation, overlaps in regulatory roles, slow and cumbersome code change processes, anticompetitive marketing practices, poor market design and poor, if any, planning mechanisms. It is time for this government to get moving on both the Parer and the Productivity Commission recommendations.

I recall my colleague the member for Hunter saying this many times during the course of the last parliament when he was the shadow minister responsible for energy, as I am now. While we are still at groundhog day, let me remind the House that I put it to the House last year that a serious debate on financing and pricing of new transport infrastructure needs to take place in this parliament and in the relevant ministerial councils of this country. One year later, I am pleased to ask the Productivity Commission to develop proposals for efficient pricing of transport infrastructure by the end of 2006, but the list of reviews and new committees from last Friday’s COAG outcome goes on. In fact, in the competition section of COAG alone, at least 37 reviews were mooted—and as many as 64, depending on the interpretation of the communique. This is what the government calls action.

Yes, it is a government in action—with committees and reviews—but no amount of reviews or changing of the guard will deliver reform. Real reform requires us as a nation to face up to tough decisions. It requires leadership from the national government, it requires cooperation with state and territory governments and it requires joint action. In the area of health, I am pleased to at least note that COAG has a focus on health promotion, on disease prevention and on mental health. That is an exceptionally important breakthrough, and the state and territory governments and the Commonwealth government are to be commended on that front.

Let me also remind the House that it has been federal Labor that has led the way by putting prevention at the heart of our health system, especially with respect to the issue of mental health. It is two years since my colleague the member for Lalor advocated wellness checks in a speech at the National Press Club. Just last week she launched Labor’s health promotion and illness prevention for Australian children initiatives. In the area of mental health, the COAG communique is long overdue and it recognises that mental health is a major problem in this country. We cannot afford delays in detailed action plans and I, for one, will be watching closely to see that the 2006 deadline is met. That might be an appropriate time to stop, given the hour of the day. I seek leave to continue my remarks.

Leave granted; debate interrupted.

ADJOURNMENT

Mrs DE-ANNE KELLY (Dawson—Parliamentary Secretary (Trade)) (10.30 pm)—I move:

That the House do now adjourn.

Israel-Palestine Visit

Oil for Food Program

Mr BRENDAN O’CONNOR (Gorton) (10.30 pm)—This evening I would like to associate myself with comments made by the member for Chifley last Thursday in this place, when he referred to a visit by federal members of parliament to the Palestinian...
Authority and Israel. As a member of that delegation, I acknowledge the honour it was to visit a region that has such deep and abiding historical, cultural and religious significance to so many people throughout the world. It is of course also a place of much sadness, pain and seemingly irreconcilable conflict. We were fortunate to meet with Israeli and Palestinian representatives, and we found remarkable goodwill, hope and optimism in the face of wanton violence and despair.

Of the many extraordinary visits I was able to make and people I was able to meet, one of the most confronting experiences for me—and, indeed, for the member for Chifley—was meeting with a former Melburnian and journalist Arnold Roth, who recounted to us the tragic loss of his 15-year-old daughter, Malki. Malki was senselessly and tragically murdered in a suicide bombing in a pizza restaurant in Jerusalem in 2001. This awful and tragic story for us then, and certainly I hope for the House now, underlines how vigilant the Australian government must be in properly examining not only its foreign policy but also the nexus between the alleged—and I think it is beyond 'alleged' now—$300 million bribes to the former Iraqi regime and the payments made by that regime’s bank to families of suicide bombers.

There is prima facie evidence to suggest that a proportion of the $300 million could well have found its way into the hands of the families of suicide bombers, given that, under the control of the former Iraqi regime, the bank in Iraq in which the bribes were deposited was the same bank paying $25,000 to the families of the suicide bombers. Clearly, the government needs to ensure it is not aiding and abetting, wittingly or otherwise, terrorists.

Its decision to invade Iraq without United Nations sanctions and, as we have found, without material evidence of weapons of mass destruction was, in my view, wrong. It is also my view that that invasion without international legal sanction has greatly increased the dangers to this nation and its citizens compared to what would have been the case if we had not pursued that action. It is clear now that there were no weapons of mass destruction and the government based its entire decision—and, indeed, the Prime Minister in this place based his decision—on a lie.

As I said, we as a nation have been put at a greater risk. Given the extraordinary facts that we now know about the wheat for weapons scandal, I think it is important to find out the extent and the nature of the Australian Wheat Board’s involvement—and, indeed, the government’s involvement—in this process. The government needs to provide the parliament with answers about the extent of its culpability and involvement in the fiasco and about whether or not any of the Commonwealth bribes made their way to payments made to arm Saddam’s troops or suicide bombers in the region.

Ryan Electorate: Recognition Awards
National Youth Roundtable

Mr JOHNSON (Ryan) (10.35 pm)—The Ryan recognition awards were initiated by me in 2002, following my election to the federal parliament. I speak here in the parliament as the member for Ryan, and it is a great privilege to continue to represent the electorate of Ryan. I initiated these awards as a way of saying thank you to the people of Ryan who give up so much of their time and who contribute very strongly and very widely to the community that we know in the centenary suburbs of The Gap, Chapel Hill, Kenmore, Indooroopilly, Taringa and many more.

Tonight I want to mention the names of the recipients of the Ryan recognition awards
for 2005. It is very important that local members take the opportunity to acknowledge those in their communities who give very selflessly to their fellow Australians. I want to acknowledge Mr Warren Acton from Westlake, Pastor Ric Benson from Jindalee, Joanne Brown from Mount Ommaney, Wayne Budgen from St Lucia, Ryll Byrgin from Auchenflower, Di Dawson from Indooroopilly, Douglas Dow from Upper Brookfield, Peter Everton from Kenmore Hills, Michael Fitzgerald from Kenmore, Keith Hamilton from Westlake, Pamela Hardy from Jamboree Heights, Manju Jehu from Indooroopilly, Wilma Johnson from Middle Park, Malcolm Lancaster from Middle Park, Ken McMullin from The Gap, Simon Newcomb from Taringa, Michele Raineri from Kenmore, Ernie and Doris Raymont from Mount Ommaney, Bruce Siebenhausen from Jindalee, John Sharman from Brookfield, Kay Summerfield from Kenmore, Lindsay Tennyson from Toowong, Hana Torbay from Jindalee, Susan Viney from The Gap and Jocelyn Wilson from Fig Tree Pocket.

These were recipients of the Ryan recognition awards in 2005. I had the pleasure of hosting the ceremony last year. We had a wonderful evening ceremony and acknowledged the contribution of these people to their community. They come from all backgrounds and all walks of life, but the common thread that unites these Australians in my federal electorate of Ryan is that they have a strong commitment to their community.

I was pleased to see in today’s Australian that the Ryan electorate was named as ranking sixth in the levels of happiness of all 150 federal electorates in this country. While of course I would like to take credit for that, I think that the greater credit comes from the fact that those surveyed, interviewed or questioned on their levels of happiness reflected the broader community of Ryan. I am sure that those people are amongst the tens of thousands in the Ryan electorate who selflessly give of their time to all kinds of wonderful works. As the federal member for Ryan, I am delighted that in my work as a local member I am able to liaise with all kinds of organisations, from school P&C organisations to Rotary, Lions and the many other community based organisations that have as their sole focus improving the lives and the wellbeing of their fellow citizens of this great country.

We also know that the Australian government focuses a lot on young people. The National Youth Roundtable is a centrepiece of the Australian government’s youth consultation mechanism. That will continue this year, when again two young people from the Ryan electorate—Naomi Lim from Middle Park and Eve Campbell from St Lucia—will be coming to Canberra to represent the community of Ryan. These are two fine young Australians who I think reflect the very best of the young people of my community. Their sole focus is to make a difference and to learn not only about issues that affect them but also about important, wider community issues such as prejudice, alcohol abuse, drug abuse and homelessness. These are important issues that we in the federal parliament and as a government try to confront and to find solutions for. It is inspiring that young people are already looking at these kinds of issues as they mature and develop into the leaders of tomorrow.

**Shortland Electorate: Medical Practitioners**

Ms HALL (Shortland) (10.39 pm)—For a number of years, I have raised the issue of the critical, life-threatening shortage of doctors in the Shortland electorate in this parliament and with the Minister for Health and Ageing, yet nothing changes. Both the Cen-
Central Coast and Lake Macquarie areas of the Shortland electorate are identified—and have been for some time—as areas of workforce shortages, but things do not improve. They just get worse and worse.

In 2002, I raised the issue that on the Central Coast and in the Lake Macquarie area people were waiting seven to 14 days to see a doctor, and I presented to parliament some 6,000-odd signatures requesting that more doctors be trained and that this chronic shortage of doctors be addressed. In the first parliament I was part of in Canberra, I raised in the House of Representatives the issue of trying to get an overseas-trained doctor to practise in the Toukley area, which was identified as an area of shortage. It did not happen, and the issue of the workforce shortage has just got worse and worse.

In February 2005, the ratio of full-time equivalent general practitioners to patients on the Central Coast was one to 1,998. In the one postcode in Shortland at that time, postcode 2262, there was one doctor to 9,801 people. That really is not good enough. The doctor shortage has not been addressed, and it has just got worse and worse, and the areas that were previously well serviced by doctors are now at a stage where there is a critical shortage of doctors there too. Last year, in one of the areas that was better served by doctors, we lost three doctors, and another three doctors have signalled that they are going to retire in the very near future.

In January this year, Dr Thind, who had two surgeries and had practised for 20 years in the Blacksmiths and Marks Point area, an area that was already suffering from a chronic shortage of doctors, notified us that he was retiring. He gave plenty of notice. I wrote to the minister for health to seek assistance in addressing the issue. I wrote to the department. I even got on the telephone and rang around, trying to get doctors to relocate in the area. It is classified as an area of workforce shortage, but unfortunately its RRMA classification is not such that an overseas trained doctor who is a permanent resident in Australia can actually relocate to the area.

I have found a number of doctors who are very keen to move to Lake Macquarie, to the area where Dr Thind previously practised, but they do not meet the department’s requirements. I have to say that it is very difficult to find out exactly what those requirements are. I received a letter from the department saying that no-one had applied to move to the area. Every doctor that inquired was told, ‘No, you don’t qualify,’ so they did not put in a formal application to move to the area.

I received a letter on 20 January from the Parliamentary Secretary to the Minister for Health and Ageing, in response to my letter to the minister for health in December. The letter I received said that he was pleased to advise me that the area was identified as an area of workforce shortage. Yes, it is identified as an area of workforce shortage, but that does not help the people of the area. There are no doctors in Belmont, Swansea, Blacksmiths or Pelican who will take new patients. All the doctors’ books are closed—that is some 17 doctors—so it is a real crisis.

In support of what I am saying in the House tonight, I would like to table petitions that do not meet the requirement of the House from some 1,000 petitioners in my electorate, asking for assistance to find a replacement doctor for Dr Thind, who has now closed his doors. There are now 2,000 families in the Lake Macquarie area who no longer have a doctor, because no doctor will take them on as patients, because their books are all closed. (Time expired)

The SPEAKER—Is leave granted for the tabling of the petition?

Leave granted.
New South Wales Government: Desalination Plant

Mr Baird (Cook) (10.44 pm)—The New South Wales government announced last week that they had shelved the deeply unpopular desalination plant which they had been trying to force onto the Kurnell Peninsula against the wishes of taxpayers, residents, scientists and water experts. This announcement was initially greeted with satisfaction by all who have worked against Labor’s ridiculous plan. However, as last week wore on, it became apparent that New South Wales Labor were playing true to type. Labor’s announcement is nothing more than another grubby sham being perpetrated by the New South Wales Labor Party against the people of the Sutherland shire. Despite announcing that they have shelved desalination, New South Wales Labor will continue to spend $120 million of our money to complete infrastructure for a desalination plant which they are telling us they are no longer going to build. Labor are still purchasing the site proposed for the desalination plant. They are still spending millions to put in a trial desalination plant.

As with their myriad of failures on the Cross City Tunnel, Labor are now liable for millions to compensate the giant consortia who stood to reap massive profits from the desalination plant’s construction. Most damming of all, Morris Iemma’s Labor government, who turned out en masse to announce the alleged shelving of the desalination plant, are continuing the flawed and skewed process to give legal approval for the construction of the desalination plant to continue. This is nothing more than a sham and a con against the taxpayers of New South Wales. Labor—driven, no doubt, by their spin doctors and pollsters—have identified what we have all been trying to tell them since July last year. The people of New South Wales, the people of the Sutherland shire and the people of the marginal seat of Miranda do not want desalination now, and we certainly do not want desalination rammed on us again after the next election. This move by Labor is nothing more than a naked and clumsy attempt to neutralise their hugely unpopular desalination plant and to mask their failures with water policy to attempt to retain government at the next election, due in just 13 months.

Had Labor consulted their own experts at Sydney Water, or even local residents and taxpayers, Sydney could already have functioning access to alternative water supplies. Instead, driven by the need for a quick fix to mask their failings, Labor have squandered untold millions of dollars on an unwanted, polluting and inefficient desalination plant that nobody wants. Desalination is, without doubt, the least attractive option for securing Sydney’s water supplies. In December 2005, Sydney Water was forced to admit, to the great embarrassment of the Labor government, that not one single water expert could be found to support desalination as a viable option for Sydney. According to Sydney Water, the plant would cost $1.3 billion to design and construct. The Australia Institute has stated that Sydney’s water prices would have to more than double, from around $1 per kilolitre presently to more than $2.44 per kilolitre after the plant’s construction.

Desalination has the potential to cause very real and very tangible environmental degradation and destruction. According to one whale expert, the construction phase of the plant alone could potentially change the migratory habits of whales, forcing them offshore and rendering them vulnerable to injury and death from shipping and predators. The plant would also release an enormous plume of heated hypersaline water underneath the path of whales and adjacent to wetlands of such environmental worth that they are protected by the Ramsar treaty as
well as the JAMBA and CAMBA accords. Given the potential for environmental harm, what did Labor do? They enacted new legislation known as the critical infrastructure powers, which allow them to avoid the rigorous and fulsome environmental scrutiny which would ordinarily apply to any development of this magnitude.

At a recent so-called consultation meeting between rightly aggrieved residents and Sydney Water, one resident asked: Why are 63 out of the 66 of your assessment criteria unresolved? 50 assessment items are listed as will be developed; 6 still to be designed, 1 is yet to be identified and 6 have been developed as far as is practical. Anyone else submitting a document with so many holes in it would be rejected in a second. How can you say this is a detailed environmental assessment?

Even Sydney Water’s former executive director of water policy knew that desalination was a farce. He said desalination was considered a joke in Sydney Water: No one ... took it seriously. The only people who wanted desalination were the engineers from the company selling desal plants.

Given Labor’s obvious failings, with people dying in our hospitals; trains running off the tracks all too frequently and costing yet more lives; riots in Redfern, Macquarie Fields and of course my own suburb of Cronulla; gangs out of control; roads that are impassable and gridlocked; too few teachers, doctors and nurses; and surgical waiting lists equivalent to those of a Third World country, I pose the question to Morris Iemma: why can you not admit you were wrong? Why can’t you stop wasting our money on a desalination plant and stop this process? (Time expired)

Victims of Crime

Ms KATE ELLIS (Adelaide) (10.50 pm)—Tonight I rise to talk about the lack of justice afforded to many Australian victims of crime and to call on the government to establish a national compensation and support scheme for victims of crime. It is vital in the current climate that the Attorney-General address the lack of support for Australian victims of crimes which are committed beyond our borders.

Last year celebrated the 20th anniversary of the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power. Adopted on 29 November 1985, the declaration sought to ensure that victims of crime receive proper consideration in the legal system and proper support from law enforcement and other services. It specifically identified a number of basic rights that should be afforded to victims. These included the right to be treated with compassion and respect; the right to access to justice and proper redress from harm; and the right to information about, and help with, the legal process. Since this declaration, in many aspects we have come a long way in communicating with victims of crime, developing our support networks and providing compensation to those affected.

Now state governments are truly beginning to acknowledge the effect crime can have on victims, and they are recognising ways that the justice system can more adequately provide justice for victims. For example, in June last year the South Australian government announced the introduction of the Ministerial Advisory Committee on Victims of Crime, to afford victims an even greater say in South Australia’s justice system. Whilst the states must be commended for continuing to progress this issue, the federal government remains at a standstill. When crimes and abuses against Australians take place beyond our borders, victims are refused their right to obtain justice.

This was most visibly demonstrated by the Bali bombings of 2002, when the Howard government failed to adequately compensate
distraught victims and their families. The South Australian government extended compassion and invited victims of the bombings to lodge claims after the federal government had shirked its responsibility. It is worth noting that, in my understanding, South Australia is the only state where the victims of crime fund has a provision to compensate families of people killed or those injured outside the state. Surely it is ludicrous that Australian victims of the same international crime receive different compensation. This is not an area that should reflect inconsistencies.

Long gone are the days when Commonwealth criminal offences were limited basically to fraud on social security, tax and drug importation. Alongside the development of globalisation, we have experienced an expansion in Commonwealth jurisdictional responsibility. The rise of international crime, such as terrorism and people-trafficking, must be matched by a rise in support services for the victims. We need the federal government to provide some leadership on this.

While the Howard government is standing still, there is much international movement on this issue. In late 2000, the American congress passed the Victims of Trafficking and Violence Protection Act, which provides aid for victims of terrorism and expands the already established Office of Victims of Crime to respond to incidents of terrorism outside of the United States. This act also authorised the Office of Victims of Crime to establish the International Terrorism Victims Compensation Program, which allows US nationals and government employees who have become victims outside of the United States to apply to a single federal office to obtain compensation.

In Britain, the government has just released a new code for victims of crime, under which victims are now given statutory rights. The government has embraced victims and victim support as part of its campaign against crime. It appropriately recognises the integral part that victims play in addressing issues of crime prevention.

We must be absolutely vigilant in our approach to national security and we must strive to tackle terrorism and to adequately deal with terrorists, but surely we must emphasise and protect victim rights equally. Compensation is an important avenue in recognising the dreadful suffering incurred by victims, to contribute to their medical treatment and their psychological assistance and to assist with their indirect economic losses. It is a means of expressing our horror and disgust at the crimes that are committed against them. I stand here tonight and reassert the need for Australia to adopt a national scheme that can service these victims of crime. Australia can and must do better for our victims. I call on the government to act.

Hasluck Electorate: Kalamunda District Community Hospital

Mr HENRY (Hasluck) (10.54 pm)—I rise tonight to speak about the Kalamunda District Community Hospital in my electorate of Hasluck and two dynamic young women—Georgia Bolden-Strestik and Melanie Landy. Firstly, I congratulate both Georgia and Melanie on organising a very successful community rally yesterday—Sunday, 12 February—in Stirk Park, Kalamunda, in support of retaining health services at the Kalamunda hospital and retaining the hospital at its existing fully functional capacity. Secondly, I commend both Georgia and Melanie on behalf of the Kalamunda and hills communities for taking the fight up to the Western Australian Labor government and its health minister, Mr McGinty.

The state Labor government of Western Australia and its Minister for Health have
failed to consult with or listen to the communities living in the Kalamunda and hills area on what health services best suit their needs; indeed, they have treated them with contempt. So it is terrific that these two young women have provided another opportunity for these communities to send a message to the state government.

As I have previously stated, the state government is not listening. In the past there have been a community rally attended by over 1,500 people, a petition with many thousands of signatures and a further rally on the steps of Parliament House, Western Australia. However, perhaps as there is a new premier in Allen Carpenter, this rally and resulting petition will be given the attention they so richly deserve by this derelict state Labor government.

Georgia and Melanie, like so many of the community minded families that live in the area, are determined to see the state Labor government respond to their very real concerns with respect to the loss of services from the Kalamunda hospital. These concerns include a significant reduction in surgical procedures, a continuing reduction in staff and bed numbers, cessation of surgery for children under 14 and, last but not least, the closure of maternity and obstetric wards from April 2006. Further to the loss of these health services, residents will be severely disadvantaged by having to travel to the Swan District Hospital in Midland. One speaker at the rally spoke of the difficulties associated with this journey for those many families and elderly people reliant on public transport. They reported that there was no district bus route and that three different buses need to be caught, travelling into Perth and back out to Midland—in total, a journey that takes over 1.5 hours. This is an absolutely ludicrous proposition for an expectant mother or an elderly patient needing urgent medical treatment. What of the dads and other family members wanting to visit a new mother and baby in that hospital? Will the state Labor government deprive them of this opportunity? Sadly, it looks like it.

Indeed, in the Australian newspaper, it was reported that Hasluck is one of the saddest electorates in the country—and no wonder, when a state Labor government treats our good folk with such disdain. The excellent performance of the Kalamunda hospital was also cited as a very good reason to retain its range of services, including maternity and obstetrics. The Kalamunda hospital has been ranked with the best hospitals in the west on a WA Department of Health patient satisfaction survey.

For many years, there have been in excess of 400 births per year at this hospital, with absolutely no safety issues and great community confidence. Indeed, over three generations of some families have been born at this hospital. Satisfaction with the performance of the hospital and its staff is at a very high level. The hospital is a very much appreciated and much needed part of the hills community, providing employment to many and business to small business suppliers.

Concern was also expressed about the possible loss of doctors from the area, with a loss of the range of services proposed. There is already a significant shortage of doctors in the area to service the growing foothill communities of Lesmurdie, Gooseberry Hill, Maida Vale, High Wycombe, Hazelmere, Forrestfield, Wattle Grove and Walliston. These suburbs are representative of a significant change occurring in the demographics of the area. Across many of these hills suburbs, thousands of new homes are being built, attracting many young couples and young families with expectations that essential health services will be available to meet their growing needs. Many of these young people were at the rally supporting the ef-
forts of Georgia and Melanie, expressing their concerns that Labor was not interested in their or their family’s health needs. As the member for Hasluck, I will be supporting them in the best possible way that I can.

Sydney (Kingsford Smith) Airport

Mr MURPHY (Lowe) (10.59 pm)—Before the House adjourns this evening, I raise once again my grave concerns at the media reports attributed to Mr Max Moore-Wilton with regard to his desire to have the curfew at Sydney airport removed. I raised this issue just before question time today twice. This is a very important issue. Tragically, Mr Moore-Wilton, who is now working for Macquarie Bank, is only interested in maximising the profit for Macquarie Bank and the Southern Cross Consortium, which bought the 50-year lease of Sydney airport. This is a serious issue for the people I represent; it is a serious issue for the inner west of Sydney. That curfew must remain in place. The 80-movement cap must also remain in place. In addition, the government must facilitate the fair implementation of the long-term operating plan for Sydney airport.

House adjourned at 11.00 pm

REQUEST FOR DETAILED INFORMATION

2006 House of Representatives Seminar Program

Mr Price asked the Speaker, in writing, on 02 February 2006

(1) What is the budgeted (a) revenue and (b) expense for the 2006 House of Representatives Seminar Program.

(2) Is the net revenue from the Seminar Program hypothesised; if not, why not.

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

(1) (a) The budgeted revenue for the 2006 House of Representatives Seminar program is $100,000.

(b) The budgeted expense for the 2006 House of Representatives Seminar Program is $100,000, including salary costs for coordinators and presenters, printing, catering, travel, stores and equipment.

(2) There is no net revenue from the seminar program as the aim is to operate on a cost recovery basis. Revenue obtained from the seminars is retained by the Department of the House of Representatives under section 31 of the Financial Management and Accountability Act 1997 and is used to offset the costs associated with the running of the seminar program.

NOTICES

The following notice was given:

Ms Plibersek to move:

That this House:

(1) notes:

(a) the spiralling cost of child care in many parts of Australia;

(b) that a large number of families cannot either find or afford high quality, local child care;

(c) the low labour force participation rates of women with dependant children in Australia, relative to many other OECD nations; and

(d) that families cannot claim the child care tax offset until after the end of the financial year following the year when child care fees had been paid, even though the Government has all the details necessary to process the offset earlier; and

(2) calls on the Government to:

(a) develop policies to create more places for children in high quality care in areas where more places are needed;

(b) recognise that planning is needed in the long day care market to correct market failures, and make it possible for parents with young children to participate in the workforce; and
(c) implement Labor’s proposals to allow families to benefit from the child care tax offset at least a year earlier than the Government’s scheme allows.
Mr Jenkins took the chair at 4.00 pm.

MAIN COMMITTEE PROCEDURES

The DEPUTY SPEAKER (Mr Jenkins) (4.00 pm)—Before the order of the day is called on I would like to make a short statement. This is the first meeting of the committee since new procedures were put in place last Thursday. These procedures allow the committee to meet on Monday afternoon to allow further debate on committee reports presented earlier in the day. These procedures and a procedure to allow the chair to direct a disorderly member to leave the room have been introduced on a trial basis on the recommendation of the Procedure Committee.

COMMITEES

Communications, Information Technology and the Arts

Report

Debate resumed.

Ms OWENS (Parramatta) (4.01 pm)—I rise to support this report of the Standing Committee on Communications, Information Technology and the Arts into the uptake of digital television in Australia, Digital television: who's buying it? It is a unanimous report, I am pleased to say, into this extremely vital area. I am very pleased to be able to do this today, the first day of this new, improved process for committee members that will allow members of the House far greater input into these important processes of the House. I will try not to be disorderly, Mr Deputy Speaker, in case I am the first person removed from the Committee. It might be difficult; it is a very contentious issue that we are discussing today.

The government discussed the roll-out process for digital television, the change from analog to digital, back in 1998 when it legislated a time frame for the industry to convert from analog to digital. It required that commercial and free-to-air broadcasters commence digital broadcasting on 1 January 2001 in capital cities and in regional areas between then and January 2004. The stations were required to broadcast in both analog and digital for around eight years until the analog signal was switched off at the end of 2008 in capital cities and eight years after the digital switch on in regional markets, effectively making the switch-off in regional areas about four years later. The stations had to broadcast a minimum of 1,040 transmission hours per annum of HDTV—high-definition TV—and restrictions were put in place as to what they could do with the digital spectrum. For example, there was no multichanneling except for the ABC and SBS, which could provide one digital channel but were excluded from showing news, current events and sport.

It is now 2006, some five years in from the original eight-year plan, and the take-up has been slow. There have been several reasons given for the slow take-up and it is appropriate to say that some of that is simply due to technical issues in the early days. There was no digital consumer equipment available in the Australian market on 1 January 2001; so, while it was a necessity for stations to start broadcasting, it was very difficult for consumers to receive the signal. The first digital set-top boxes were underwritten by the commercial broadcasters and arrived in early 2001. In accordance with the roll-out schedule, initial coverage was limited and most areas of metropolitan markets could not receive the signal until late 2003. This
meant that a digital set-top box might work in one part of a market and not in another. There has also been considerable talk of the difficulty with additional content. The Seven Network, for example, claimed that the primary reason for the low take-up of DTV in Australia was the lack of a clear value proposition for consumers as the content on the digital channels was very much the same as that on the analog channels.

The Media Entertainment and Arts Alliance and the Australian Film Commission both talked of the need for content to drive take-up. The Media Entertainment and Arts Alliance in particular remarked that, given that Australians have long been known as very fast adopters of new technology, the fact that take-up of digital services has been so slow indicates that what is on offer—enhanced picture and sound quality—is nowhere near sufficiently attractive to drive the decision to acquire a set-top box. The Australian Consumers Association argued that there was not an attractive proposition to motivate consumers. There was a paucity of receivers, the equipment was difficult to understand and there was very little consumer understanding of the technology.

No doubt the technology is now available. In fact, over 80 per cent of houses receive all digital channels and 95 per cent of houses receive at least one, yet take-up is still slow. In fact, less than 10 per cent of houses have transferred from analog to digital, five years into the proposed changeover period, given that in most of those houses where there is a digital television there is an old analog television sitting in the back bedroom. Again, considering that the proposed switch-off is at the end of 2008—less than three years away—only around five per cent of Australian televisions have been made digital-ready.

Nevertheless, we must understand that there is a great need for Australia to keep pace with changing technology in the television market, even if Australian consumers at this point seem to be a little slow on the uptake. Australia is a great innovator of product. We have a strong creative group of producers in this country who produce excellent film and television for around the world. It is important for them, if not for consumers, that we keep pace with change around the world.

In the United States at the moment, for example, 70 per cent of their free-to-air content is high definition television. Australia simply cannot keep pace as a user or provider of international content unless we take very serious action. Of course, television is not just a business of entertainment either. Now, along with radio and print media, it is a vital part of the way that the community shares information—what we know about ourselves and our common everyday stories—with each other. This puts television into another sphere of cultural significance. That does not mean that any particular station needs to fulfil the entire community role, but we in government need to ensure that there is a range of suppliers of information and, more importantly, that there is diversity in the kind of information provided. We also support, as I said before, a very strong film and television industry. Most people do not realise that it is the television industry that financially supports the film industry for much of its life.

To some extent we found ourselves in the committee making policy on the run. Changes to cross-media ownership have been in the ether. There have been rumours about decisions to be brought down very soon, about changes to the digital television rules in regional Australia and, even as we were meeting with industry representatives, talk by the Minister for Communications, Information Technology and the Arts of coming to a decision prior to the conclusions of this committee. So it was somewhat difficult in a time of uncertainty to consider these
important issues. Certainty is of course extremely important to the industry itself and to consumers. We also had to consider regional areas very carefully. Regional companies are already claiming that the simulcast of digital and analog is putting an extraordinary drain on their services. Whilst the large free-to-air companies in the cities are comfortable to some extent with simulcast, the regional companies are doing it very tough, and we were reluctant to add to their burden by delaying the switch-off any further.

The committee made a number of recommendations that free up the environment for broadcasters and provide some certainty for both industry and consumers. The first part concerns the switch-off date, setting a very firm switch-off date of 1 January 2010, a bit over a year later than the original date. Several submissions to the inquiry stated that a definite analog switch-off date will drive the take-up of digital television in Australia. Certainly, we found that many consumers were unaware of this and that there is a need for the industry to widely promote the definite switch-off date. SBS believes, for example, that increased public awareness of a certain analog switch-off date will provide a particular incentive for digital take-up. Several consumers mentioned in their submission that they were waiting for new technology or for a later date—they were waiting till the last minute—before making a decision. The fixed date of 2010 and the second recommendation which follows it, which suggests that the government commission an independent study into Australia’s current spectrum allocation, sets the boundaries well and truly for the industry as well and makes it really clear that the additional spectrum which the free-to-air providers are carrying at the moment for the simulcast will be removed at the switch-off date of January 2010.

There are also several recommendations concerning content and quality. We were particularly pleased that we had a unanimous decision to remove the genre restrictions from the ABC and SBS. On this side of the House we believe that the ABC and SBS have an extremely important role to play in the development of new content and the development of the new format for digital television itself. Current funding does not really allow them to pursue that role with the strength that I know they wish to. But removing the genre restrictions from their second channel, their digital channel, which will allow them much broader broadcasting of content, goes a small way towards that.

This is an extremely complex report. There are 12 recommendations in all, most of which provide the free-to-air broadcasters with considerable flexibility in the way they approach the changeover. (Time expired)

Mr KEENAN (Stirling) (4.11 pm)—I also rise in support of the report of the Standing Committee on Communications, Information Technology and the Arts entitled Digital television: who’s buying it? This is a very important report about a very important issue—that is, how Australia is to embrace this new technology. I have to confess that before I became a member of the committee and participated in this inquiry I knew very little about digital TV. I certainly knew very little about its interactive power and the potential that this technology has. I am very pleased to speak on this report today. A lot of hard work has gone into it. Around the world digital television is already revolutionising the way in which people handle their media. Viewers are taking far greater control over what they view and how they view it. Modern television users are interacting with their programs, demanding a high level of choice and content in using more media systems simultaneously.
This detailed report, resulting from our inquiry, asks the very important question about how we can best take advantage of the new digital technology in Australia. The broad conclusion of the report is that it is now time for us to get serious about getting digital. Digital television offers clearer, sharper pictures in a widescreen format. It requires less spectrum to broadcast and it also offers opportunities for more channels and additional features such as interactivity and datacasting. Australia is already using digital technology in broadcasting, although only a small number of Australians are actually equipped to view it. This is despite the fact that we have a scheduled switch-off of analog services commencing in some metropolitan areas as early as 2008. Australian broadcasting is changing rapidly and the successful media companies in this context will be those that realise that our viewers want to consume their media in different ways rather than the traditional way of the family gathered around the TV box watching limited scheduled programming.

Extensive research has been conducted by the committee into where Australia is placed right now with digital TV, where we would like to be in the future and how we can make the transition from the analog system as simple and as attractive an opportunity for all Australians. The inquiry also gives us an expert account of Australia’s options and how we can keep pace with international production and broadcasting trends by talking to the major players within the industry, including the ABC, the Australian Film Commission, the Community Broadcasting Association of Australia et cetera.

The inquiry also investigated the impact of the digital TV handover in the UK, the US, Italy and Germany, involving such organisations as the BBC and the US Federal Communications Commission. Public hearings were conducted around the country, and they were important as they provided us with an insight into what needs to be done to increase public awareness of the impending analog switch-off and what needs to be done to stimulate consumer interest in the uptake of digital television.

The committee also compiled submissions from the relevant Australian government ministers, state and territory governments, and local councils from around the country. Considering the take-up rate, it is important for us to ask who is actually buying digital television. The answer is that few Australians have actually been getting on board and, therefore, this low market base has limited the features and programming options that digital television can provide. I am not sure if you aware, Mr Deputy Speaker, but if you were to purchase a set-top box and a digital television now you will find that the various stations have a number of different programs but that they are essentially broadcasting exactly the same thing. This, of course, has limited the appeal of digital television.

The committee has recommended that the Australian government switch off the analog network nationwide on 1 January 2010. Our researchers found that digital TV roll-out is well advanced and includes the major regional broadcasters. It will actually be rolled out ahead of schedule. It is also believed that a definite switch-off date will be enough to stimulate product and retail readiness and allow people access to digital television information to help them make an easy and informed choice. A nationwide switch-off will help ensure competitive pricing, which will benefit Australian families. We are already seeing the market’s competitive pricing driving the cost of set-top boxes down to about $100, and I expect that as demand increases the cost of those set-top boxes will decrease even further.
The target of 2010 provides an adequate time for broadcasters, manufacturers and retailers to plan appropriately. Whilst this date extends the scheduled switch-off in some metropolitan areas by up to two years, this does not pose extended financial burdens on regional broadcasters to continue simulcasting for a prolonged period. The committee has also recommended that allocation and management with the broadcasting spectrum be the subject of an independent study in order to meet the future technology needs of Australia. I think that is particularly important given the rapid pace at which technology continues to change. An independent inquiry can incorporate the question of additional networks, including community broadcasting stations offering a range of programming which could be aimed at specific ethnic groups or specific community groups. The spectrum needs of future technologies, in particular wireless and other emerging technologies, also needs to be taken into account. Higher quality images and sounds, and even more channels, can be broadcast in the same spectrum now used for one analog channel. The Australian Communications and Media Authority states that spectrum is described in economic terms as being a finite, instantly renewable natural resource. When the analog channel is switched off, a substantial amount of spectrum will be returned to the Australian government for future use—and that obviously contains enormous potential for the Australian government to increase the number of choices that are available to Australian consumers. The committee has also recommended that the Australian government remove the programming restrictions on multichannelling the national free-to-air networks as soon as possible and hopefully no later than 1 January 2007.

Research shows that, although there is a commitment to the subscription television sector regarding multichannelling restrictions on commercial broadcasts until 2008, a variety of content and services, such as that which multichannelling can offer, is critical to driving the demand for digital TV. Multichannelling restrictions on the ABC and on SBS have been recommended to be lifted as soon as possible and no later than the beginning of next year. This will free up both networks to establish digital channels and fully compete in a digital TV market: for example, by being able to open up most of the archived ABC and SBS material for viewers. It is a move that will assist in attracting Australian families into making the transition to digital TV before the analog switch-off.

Datacasting is another variation on what can be provided by digital TV and is an example of where, with careful research and investigation, the Australian community will be able to get the most out of digital television. The committee has recommended a review of the current datacasting restrictions to open the way for potential new services. Datacasting is the broadcasting of data over a wide area via radio waves. It most often refers to additional information sent by television stations along with digital TV, such as news, weather, traffic and stock market reports and so on. In lay terms, for those who have watched CNN, it is best illustrated by the tickers moving along the bottom of news broadcasts—it works in a very similar fashion to that.

In its submission to the inquiry, the ACT government stated that such new datacasting services could also include a range of government based information and services, business information and more. Once you turn your mind to it, the possibilities for datacasting really are endless. The Interactive Television Research Institute, based in my home town of Perth, followed this up by saying that, in their opinion, if restrictions on it were relaxed there were exciting possibilities with datacasting. Certainly, the committee’s visit to that institution really
opened our eyes to the sorts of services that digital television is capable of. A lot of hard work has gone into this report, and I commend it wholeheartedly to the House.

Mr Hayes (Werriwa) (4.21 pm)—It was 1957 that television was first introduced in this country. The reruns show Bruce Gyngell hosting the initial broadcast. Unlike many on the committee, Mr Deputy Speaker Jenkins, possibly including you, I actually do remember TV at its earliest stage. As a young boy I remember sitting outside the HMV shop waiting for my first sight of Disneyland and seeing Annette Funicello on the Mickey Mouse Club. All these things for a boy living in Dulwich Hill in Sydney were absolutely amazing. Television, when it first came, was very much a luxury item. It was something that we living in a working-class suburb could only go to the shop to see. A lot of the kids growing up in that suburb spent a lot of time at that shop. It might have been a forerunner for childminding centres; I am not quite sure. Quite frankly, we grew up thinking that television was for rich kids.

But, over time, obviously TV became something else. TV has become integral to modern communications. It is part of what keeps people in touch in local communities, and regional communities in particular, and has augmented radio services and provided international news and cetera. Since its introduction, TV has lost its mantle of being a luxury item to the point where most people consider it reasonably essential in the modern family. No longer an item which is simply there for entertainment, it is now essential to modern communication and meeting the demands of a pretty diverse community, enhanced when we moved to broaden that diversity with the establishment of the SBS.

Television as we know it really has brought the world to our living room. I think against that backdrop we are now entering into a new era of television. This is a significant change. When television changed from black and white to colour that, if anything, simply enhanced the image and perhaps the enjoyability of watching golf, cricket and a few other things I tend to watch. But, in terms of making a fundamental change to the delivery pattern of television, digital television has certainly established a new platform for delivery. Digital television will provide not only an enhanced communication medium, pristine imaging, CD quality sound and the prospect of further enhanced contact but also something we would have only dreamed of years ago: the prospect of interactive participation in programming. These changes are so monumental that they are certainly more significant than when we moved from black and white to colour.

The Standing Committee on Communications, Information Technology and the Arts, in its efforts to discharge its responsibility and report on its terms of reference, worked particularly well. It had something like 97 separate submissions, 11 public hearings and 46 different witnesses. As a consequence, we produced 12 unanimous recommendations in our report Digital television: who's buying it? Being a relatively new member of this parliament, I am not quite sure how many times you get reports of such magnitude with the committee arriving at 12 unanimous recommendations, but that is what occurred on this occasion. I think the goodwill that operated in this committee applied itself in a way that was good not only for those in the radio and television community that appeared before it but also for the consumers of television. It was good that we could have an objective view of what was being put before us by largely competing forces.

There are two recommendations I would particularly like to rely on, as my friend has ably covered others in his report, which I listened to. I would like to comment on the content and
quality aspects and particularly recommendation 3, which applies to our national broadcasters—the ABC and SBS. To date, both of those are subject to genre restrictions. There is a prohibition imposed under the Broadcasting Services Act as to what the ABC and SBS can transmit on their two multichannel stations—for instance, ABC2. This is not an argument as to whether there should be separate radio stations for the ABC; they have already clearly established them. Our recommendation went to freeing them from the restriction prohibiting them from carrying certain content on ABC2 and the second SBS station.

The reason for that was not necessarily simply to argue a case in relation to the ABC, because, I dare say, they are adequately equipped for negotiating with the government on that on their own behalf. But it seemed to us as a committee that denying content to those public broadcasters with access to a multichannelled facility is doing nothing to drive the take-up of digital television. Hence, it was a unanimous recommendation of the committee that it should be freed up. Quite frankly, if anything, those second stations should be seen as an attraction of what digital television offers and as assisting the take-up rate of digital television in this country.

The consequence of not doing so is this. It simply means that we prevent the ABC from utilising much of its existing archival material or from time-shifting material from the main station. We prevent the ABC from exploiting its strengths, particularly in relation to current affairs and news. Restriction of the scope for multichannelling also undermines the benefits to audiences of digital television: namely, the provision of greater choice through diversity of programs and services. Our recommendation is that that should be freed up no later than 1 January next year and that its freeing up should be at least considered, in light of our recommendations, as soon as possible.

Having said that, I think it is incumbent on me to say that, if we are going to free that up with a view to acting positively to attract a television audience to a multichannel station, it is necessary that there should be not only a lifting of genre restrictions but also adequate funding put in place to ensure that our national broadcasters can fully exploit the potential of digital television technology in terms of innovative programming and interactive services. We are aware that the ABC’s and the SBS’s triennial funding is coming up for review, and we would strongly urge the government to take this into account when setting the broadcasters’ budget for the next three-year period. As the report indicates, the position of digital television is very strong in this country but we must do more to enhance its pick-up rate. (Time expired)

Mr GARRETT (Kingsford Smith) (4.32 pm)—I too rise to speak on this historic occasion of the standing orders having been amended to allow committee members to speak on or note reports to which they have been a party. I endorse the comments of my colleagues on the Standing Committee on Communications, Information Technology and the Arts who have spoken previously on the committee’s report on digital television, especially those of the member for Parramatta and the member for Werriwa. The history to our inquiry into the up-take of digital TV in Australia and to the report that ensued as a result of that inquiry was the decision taken by the government to announce a changeover date from analog to digital in Australia. The date that they chose was an unrealistic one and, amongst other things, presented some political problems for the government. Additionally, it presented some problems of certainty and planning for both broadcasters and the providers of the technical material that
is necessary for you to purchase if you actually want to receive digital images—so it was an important issue.

The Minister for Communications, Information Technology and the Arts is on the public record as saying recently that she thinks the switch-off time might be appropriate for about 2011. Our committee has recommended that in fact it should be sooner than that and that the date should be 1 January 2010. There is a clear view amongst committee members that there will be sufficient momentum within the marketplace when there is clarity about a switch-off date to enable the transmission requirements that are necessary to be in place. More importantly, seeing that particularly in regional areas we have double transmissions—digital and analog—people will have an opportunity to plan the purchasing of their television equipment—the set-top box equipment and so on—and the cost itself, the impost on people, should be fairly minor. It is important that the review that we have completed feed into the consideration that the government is giving to media policy. The minister is due to release a discussion paper on media reforms. We would urge the government, particularly the minister, to take notice of the recommendations of the committee as to the switch-over to digital. In the past media discussion has been quoted as being around the government making a decision which would be a series of trade-offs and compromises, but at the very least removing the content restrictions on our national broadcasters is a key first step.

After all, there has been a significant public investment, through the government, to the ABC of about $1 billion in order for there to be digital provision from the ABC and the SBS. One of the views the committee had was that it is time Australian consumers get value for money for that investment in digital broadcasting. As a consequence, recommendation 3—that the Australian government remove the programming restrictions on multichannelling for national free-to-air networks as soon as possible and no later than 1 January 2007—marks some departure from where policy has been at this point, given that this is a unanimous committee report. Hopefully the government will heed that specific recommendation, as well as the others within this report.

The committee set itself an ambitious objective in terms of a turn-off date for analog. The most important feature about setting that date is that we will need additional content to encourage people to take up, as it were, that opportunity to look at digital images and content on their TV. Where are they going to find it? For most people, the major place that they will find it will be from those who are able to provide it. It is very clear that the ABC and SBS have the capacity to provide it and they should be given that opportunity. Up to this point, as members know, there have been genre restrictions on what the ABC and the SBS can produce and it is very clear that those genre restrictions, in time, ought to be lifted. That is clearly going to play a critical role in driving digital take-up. That is what happened in the United Kingdom and there was certainly evidence before the committee to that effect. I have to say that in the United Kingdom additional government support by way of a framework and financial measures has been given to stimulate production of content, including by independent producers.

Producing content becomes probably and arguably the most important feature in this debate because unless we have a framework and a capacity, particularly from our national broadcasters, to produce additional digital content, then the service to the community by way of the diversity available to them in the broadcasting arena is significantly impaired. So it is particularly important, when we talk about lifting genre restrictions, that there is, for example, ade-
quate funding of the national broadcaster to enable it to take up the challenge to provide for that additional content.

Before I complete my remarks, I want to mention the great need that derives out of the committee’s recommendations for the national broadcaster to be suitably and substantially supported in this task. With some regret, I note that locally produced drama hours on the ABC have dropped from 100 hours in 2001 to just 20 hours last year—a very substantial drop, as I know you would appreciate, Mr Deputy Speaker. Of that, high-quality long-form drama is probably only three or four hours. This is a scandalous situation for us as media consumers and for the broadcaster to face. One of the reasons it faces that problem is that it has been starved of funds by the Howard government. Additionally a great deal of its existing funding in its funding model was to put money into its digital networks. Clearly one way around this imbroglio is for the genre restrictions, as we are recommending, to be lifted.

The other points I wish to make about the committee’s report go to a couple of things which I think are of some importance. One of them is the necessity for us to have adequate technical information in deciding the way in which the digital signals are going to operate through the spectrum. I will not confuse members present or Hansard by going into the technical aspects of how the broadcast of digital works, but it is clear when talking about selling digital that recommendation 9—‘that the Australian government ensure that the One Watt initiative and the MEPS standard are fully operational by analogue switch-off at 1 January 2010’—and recommendation 10—‘that the government work with industry stakeholders to establish a testing and conformance centre for digital television equipment; and provide $A1 million as seed funding in the first year for the establishment of a testing and conformance centre’—make a great deal of sense.

It was clear from the evidence that came to the committee that there are a number of possible technical standards that can apply to the broadcast of digital. Just as we have had numerous Australian examples—and I am sure it would have been said many times both in this forum and in the House about rail gauges that meet and different widths at different state borders—very much the same kind of debate, I have to advise members present, is now under way in the digital domain. It refers to slightly more technical matters, but the genesis of the debate is somewhat similar. We need to have uniform application of a standard that can run across the networks and across the country, and we need to have a testing and conformance centre for the television equipment to enable that to happen.

We additionally recommended in recommendation 11 that the government ‘coordinate the establishment of a mandatory labelling scheme that will accurately identify television and digital reception products’. There was some argument and evidence to the committee that you did not need a scheme of this sort. Some argued that the market itself would sort it out; it was in the interests of retailers to make sure that people were adequately informed of the technical nature or otherwise of the difference, say, between standard definition and high definition and even the difference between digital and analog, which for some people is still somewhat of a mystery. But I do not think we can leave it to the market in this sense and the idea that there should be mandatory labelling makes particularly good sense.

Of the other recommendations that I have time to refer to, the recommendation that the government remove all restrictions on multichannelling for commercial free-to-air networks on 1 January 2007 provides it with the necessary impetus to know with certainty what the
regulations will be for digital broadcasts. My very strong hope is that the government will look very closely at the recommendations that have been made by this committee, on which it has been a pleasure to serve, and that we will have additional Australian content on both the free-to-air and national broadcasters.

Mr TICEHURST (Dobell) (4.42 pm)—I rise to speak on the report of the Standing Committee on Communications, Information Technology and the Arts entitled Digital television: who’s buying it? Better digital pictures are possible. Better television and better sound can be provided by digital broadcasts. There has been a very slow take-up of digital TV in Australia, but most of that is due to consumers not really being aware of the benefits of this technology. We have seen an increased take-up in recent times, but it still only amounts to about 12 per cent of consumers. Digital TV can be obtained on the old analog TVs. Many people have these sets which, in some cases, are 10 to 15 years old. The old sets will not be replaced. By using either a standard definition or a high definition set-top box, the old TVs can continue to be used. Also, the productions of most of the television networks in Australia are almost exclusively in high definition. It needs to be encouraged to continue. Australia represents less than five per cent of the world’s market. We are in a global economy and there is no way in the world that we will set any standards here in Australia.

The committee visited the sole manufacturer of TVs in Australia. I have read recently that it will cease production very soon. So we will be relying on imported technology. Essentially, the standards for high definition will be determined by countries other than Australia. This, of course, is nothing new. We had the same with FM and AM broadcasts. There was a bit of tinkering around the edges with frequency bands. In television, we had two analog systems. We selected the European system—the PAL-B system. America is still operating on an inferior system called NTSC. Hopefully, we will still have a converging of the standards for high definition so that we in this country have the same as in the majority of the world. This will lead, of course, to cheaper sets. We also now have a variety of set-top boxes. We can buy them for $70 to $80 up to several hundred dollars. High definition boxes were $1,000 this time last year. Now you can buy them for, in some cases, 300 bucks. We can buy the boxes with hard disks built into them. So instead of having a digital recorder—the VCR as we know it—we can now have a set-top box and a personal video recorder in one device.

Also, just around the corner is wireless networking built into a set-top box. This will enable you to link your wireless home network from your computer through to the TV, allowing you to pick up programs or other forms of content over broadband internet and play it on your PC through the wireless network onto the larger screen. For that reason, during committee hearings I was adamant that we do not need to mandate digital tuners in TVs, because the standard will change. We are now using what is called an MPEG2, which is a standard for graphics. The computer manufacturers are already looking at MPEG4, and another standard called MPEG6 is being introduced. As the definition of these new video standards emanate, we will find that more and more signal can be compressed into the tight bandwidth that is allocated. Essentially, with what we have today, in a few years we will be able to put two or three channels down the same bandwidth. These developments, like computers, are travelling at a rapid rate. It is also now possible to have TV tuners in computers. You can even buy an add-on box, where you plug a TV antenna into the USB port in your computer, and there is digital TV. Some of these boxes will be able to handle analog as well.
Unfortunately, most people do not understand the benefits of digital. Really, it is not for the
government to explain it to people; it is up to the suppliers, the manufacturers and the enter-
tainment industry. It is in their interests to convince people to move to the new standard. Of
course, the government does take some responsibility for that move, and that is why we have
the cut-off date for analog of 2010. It was obvious that the initial date of 2008 would not be
realistically achievable, but 2010 should be able to be attained.

We find now that much of the change is being pushed across by large screen TVs. If we go
back a few years, a plasma screen TV was retailing for about $30,000. Since the introduction
of the GST, the 32 per cent wholesale tax on those screens—and all entertainment gear, for
that matter—has been abolished and we are only paying 10 per cent GST on them. This has
led to more take-up of the large screens. We have also seen developments in LCD screens.
They used to be restricted to small computers; now you can buy large screens of 40 inches
and more. Another technology has been developed called DLP. It is not the Democratic La-
bour Party we know from the fifties and sixties; it is a system called digital light processing. It
is a new way of producing very lightweight, large-screen sets and is quite interesting—in fact,
I have one myself. They give a brilliant picture and the colour switching is done in electronic
circuitry. You get a large picture which is very much lighter than either plasma or the old
cathode ray tube.

We are also looking at other forms of digital. The technology of the digital signal is really
moving through not only our whole industry but also our mobile phone network. With the
new 3G networks it is possible to receive video on mobile phones. As Telstra’s new installa-
tion moves along and gets developed further, we will have really high bandwidth available on
mobile phones, which will enable you to watch video and movies. Further, with video on de-
mand you will be able to download video signals over your computer, play them back on your
large-screen TV and listen to wonderful sound on a home theatre network. Then, of course,
there is podcasting, which is the latest way to bring down digital signals. Some time ago there
was a song called Video Killed the Radio Star. Now we find that the radio stations, particu-
larly 2GB in Sydney, are producing a podcast of their signal but will also do it in video: you
will be able to download the announcer doing a program and watch it on video along with the
audio. Then, of course, we have wireless internet and satellite internet. So there are many
ways to deliver a signal, and it will not just be free to air.

Also, as the member for Kingsford Smith mentioned, content is the king. It was extra con-
tent that drove the uptake in the UK. It is not really being left to the ABC to produce all this
content. We have very adequate capabilities in our TV networks and also in our other produc-
ers who are producing movies in this country. We need to encourage those producers to lift
the availability of digital product. Also, we have datacasting. Datacasting was a means of
transmitting signals over the TV network. This was largely misinterpreted in many cases but,
in February 1993, I was doing some digital datacasting with the Seven Network and that still
continues today. Very small low-bandwidth signals were able to be incorporated into the TV
signal and, in my case, produce lightning data. Financial information is available. The RTA
uses it for conveying road and traffic information to control centres. Datacasting is not just
about taking movies or videos and having an alternative to pay TV. There are many other ap-
lications where data can be transmitted through TV media for all sorts of applications.
We also heard about an idea of having relevant standards and testing. We have Australian standards. Australian standards provide guidelines and rules for connecting equipment to our electrical mains. Very stringent requirements already exist. We have standards for production of video. I mentioned the MPEG system, which is internationally recognised. It is primarily driven out of America, but it is a common standard in the PC industry. That is the sort of standard that should be adopted in digital TV. As I mentioned earlier, the whole digital circuits and systems are integrated from PCs to podcasts, mobile phones and TVs. It is a digital future and we need to get behind it.

Dr Emerson (Rankin) (4.52 pm)—I had occasion in 2000 to speak on relevant legislation: the Broadcasting Services Amendment (Digital Television and Datacasting) Bill 2000 and the Datacasting Charge (Imposition) Amendment Bill 2000. At that time I pointed to the folly of parliament seeking to anticipate the pace of technological development in this area and, indeed, in any other area in a modern economy and society. I pointed to the folly of a parliament then regulating, according to its expectations, as to how technology would develop and how consumers would respond to that technology. It seems to me that very often parliamentarians overanticipate and overregulate. They think that they are smarter than the people in the community who make decisions about whether products are attractive. They also feel that they are smart enough to forecast changes in technology. It is on that basis that much of Australia’s media and broadcasting legislation has been developed over the last couple of decades.

When I was speaking on this legislation in 2000, I referred to the main decisions that were contained in it. The first decision was that free-to-air broadcasters will be required to continue their existing analog broadcast for at least eight years. The second decision was that free-to-air broadcasters will be required to provide a standard definition digital television signal at all times. The third decision was that free-to-air broadcasters must provide a high-definition digital broadcast for at least 20 hours a week. The fourth decision was that datacasting will be subject to restrictions to ensure it is different from current television services. The fifth decision was that free-to-air broadcasters will be allowed to provide digital enhancements to their main simulcast programs, provided they do not amount to a separate multichannelling program. I think you will see immediately what I mean about overprescriptive legislation.

The datacasting regime provided for in the 2000 bill was designed to ensure that datacasters cannot offer a de facto broadcasting service in competition with free-to-air providers—that is, the datacasting provisions were designed to avoid the possibility of another broadcasting service coming in through the backdoor. Because of the government’s concern to protect the position of free-to-air commercial broadcasters, the government developed very restrictive boundaries for datacasting. They are quite astonishing. For example, datacasters are able to provide a moving video program of any length on an individual news, financial market and business information or weather item, as long as the program is only available to a viewer selecting from a menu on the screen, that it is not hosted by a presenter and that it is not linked to another item. Datacasters are prevented from showing most genres of television programs, including drama, current affairs, sporting programs and events, music programs, entertainment and lifestyle programs, comedy, documentaries, reality television programs, children’s programs, light entertainment—I think heavy entertainment was allowed—and variety...
programs, compilation programs, quiz programs and game shows. It is absurd that legislation was passed in the parliament in 2000 that was so heavily prescriptive.

It is against that background that I would like to say that this committee’s report entitled *Digital television: who’s buying it?* is a breath of fresh air. I do not say that I would necessarily agree with all of it, nor most humbly would I assert that I was as well versed in these issues as the members of the committee who sat long and hard during the inquiry process. But the flavour of the recommendations is a very welcome one and it does encourage people like me to think that perhaps progress is being made.

There are a number of positive recommendations. For example, the committee recommends that the Australian government remove the programming restrictions on multichannelling for national free-to-air networks as soon as possible and no later than the beginning of 2007. So here is a recommendation to remove restrictions with that basic deregulatory disposition that I articulated earlier in my remarks. Of course, I would be well inclined to support such a recommendation. There is another one. The committee recommends that the Australian government remove all restrictions on multichannelling for commercial free-to-air networks on 1 January 2008. Again, that is a recommendation to remove restrictions.

We then go the other way in recommendation 6 where the committee recommends that the government maintain the current minimum high definition broadcasting quota for free-to-air networks until 1 January 2011. In this instance the committee is saying that a quota or a prescription be maintained until 2011, so I become a little more concerned about such restrictions. In recommendation 7 the committee recommends that prior to 1 January 2007 the Australian government undertake a review to determine whether current high definition quotas for free-to-air networks should be removed, increased or decreased. So here the committee is not making a call but at least it is opening up one possibility, and that is that these quotas be removed.

Another relevant recommendation by the committee is that the Australian government reconsider current restrictions on datacasting with a view to lifting restrictions on 1 January 2008. That is consistent with what I was saying back in 2000—that legislation developed by the government in relation to datacasting and high definition television seems overly prescriptive. I understand the fact that free-to-air television providers have made large investments in their channels and therefore deserve some sort of security in relation to the arrangements for the future. But I am not sure that it follows that free-to-air television providers be fully protected against competition, whether it comes through datacasting or through other channels. We are in the 21st century and there is a variety of ways in which information is communicated. Young people in particular are accessing the increased variety of ways that information is communicated. I think we need to be very careful about locking in for very long periods a legislative framework that protects free-to-air television providers effectively from competition from these other forms. I understand and accept the philosophy that they need some certainty, having committed large sums within a regulatory framework, and that that regulatory framework should not change unpredictably in ways that make those investments highly risky, because in the future those investments might not occur.

I fully accept that, but that does not mean that the Australian parliament should always seek to protect traditional forms of television and communication from other more innovative high-technology forms of television, datacasting and communication. The philosophy that I think
should be followed by the Australian parliament is not to overly prescribe in regulations that we develop in this area. I very strongly urge fellow parliamentarians: do not try to predict the nature and pace of technological change in this area. We are not equipped to do that, and establishing regulations around the anticipation that there will be a certain percentage take-up of high-definition television is pure folly.

I finish where I started: by saying—confessing openly—I am not an expert in this area. I think the committee has done a good job. I congratulate the chairperson, the member for Lindsay, for doing a good job and I congratulate the other members of the committee. It does seem to me that these recommendations constitute progress, but let us not get too heavily bogged down in over-regulating this industry in the future.

Miss Jackie Kelly (Lindsay) (5.02 pm)—by leave—I would like to echo the member for Rankin’s thoughts on congratulating the members of the Standing Committee on Communications, Information Technology and the Arts: Julie Owens, the member for Parramatta; Bronwyn Bishop, the member for Mackellar; Alan Griffin; Michael Johnson; Andrew Laming; John Murphy; Peter Garrett; Chris Hayes; Michael Keenan; and Ken Ticehurst. We had a lot of travel together and companionship in preparing the report Digital television: who’s buying it? and I would like to thank them for the academic work as well as for the good times. I would also like to thank the committee secretariat. I think often we get carried away with the membership of our committees, but a lot of the work in terms of organisation and the presentation of witnesses is done by the committee secretary, Dr Anna Dacre; the inquiry secretary, Mr Anthony Overs; and our administrative officer, Mrs Emma Martin. I extend my thanks to them as, unfortunately, I was unable to when I tabled the report, because I ran out of time in the main chamber. So I would like to put that on the record now.

We received 97 submissions, so the other people I would like to thank are, obviously, everyone involved in preparing those submissions for the committee. We also had a number of days of hearings and a number of people come and speak to us personally. In particular, I would like to thank Paul Jenkins, the General Manager, Marketing and Martin Laverty, Government Counsel, Burson-Marsteller, acting for LG Electronics Australia Pty Ltd. I would also like to thank Ross Henderson, Director of Panasonic AVC Networks Australia, and Digital Media Support Manager, Rick Naylor, as well as Keith Perkins from Retravision. It was very helpful to get a position from manufacturers and retailers, and that certainly influenced this report. I only wish that more retailers and manufacturers had come forward and had their say.

The other significant submission that I thought worthy of mention is that by Mr Gary Lamb, Managing Director of GfK Marketing Services, which has done an in-depth analysis of the digital television market which supplements the one we get from the Department of Communications, Information Technology and the Arts. I am currently involved in amendments in the House regarding the aptitude of our bureaucrats. I am sure they do a great job, but it was great having the private sector input from GfK marketing. We also went to Perth and spoke to Professor Duane Varan, the Executive Director of the Interactive Television Research Institute. It is really quite amazing what is possible with digital TV and the interactivity we can have in the future. Some of the demonstrations they gave and some of the research they were doing into people’s viewing habits, how people watch television and how they interact socially was quite amazing.
As I said in my foreword, I remember as a young probation and parole officer—one of my first jobs out of university—visiting the parents of young offenders. You could gauge quite a lot from those visits. One of the immutable facts was the lounge lined up around the television. I recall in one instance the television was even turned on for the entire time I was interviewing the parents—in fact, they were watching television. So I think television has a lot to answer for. Nonetheless, the committee came to the conclusion that television is an essential service. We rate it in terms of poverty. If you do not have access to a colour television, you are basically impoverished in Australia. If you are a landlord in Queensland and your tenant wants pay TV, you are obliged to subscribe to services and install the wiring. Television really is moving towards what is an essential service.

How do you move this forward? How do you move it to the next level of technology? To that end, Debra Richards, the Executive Director of the Australian Subscription Television and Radio Association, ASTRA, gave a wonderful presentation of the marketing campaign done in the subscription sector where in 12 months, using Hugh Jackman in an advertising campaign, they moved 75 per cent of their subscription viewers to digital. There had been a zero take-up but within 12 months of the campaign the take-up was 75 per cent. The only thing they did was have a marketing campaign. The hurdle to get viewers switched on to digital in the subscription sector was much larger. They had to ring up to subscribe, they had to book a time for the person to come out and install the new set-top box, they had to pay more and learn a bunch of new controls whereas the level of entry into the free-to-air digital area is much cheaper—the committee estimates 50 bucks by 2010 or 2011.

With the major television stations looking at loss of audience, I think they will be motivated to do something similar to subscription services in driving campaigns. They know their audience. They did not want to see analog switched off and lose audience share. So they are very keen to get out there and do it. We think that is probably where the drive should lie. It should lie with free-to-air television stations pushing their own barrow and being responsible for their own audience capture.

With the sales and services that the retail market can deliver, to compete they might say, ‘We will sell you the set-top box and install it for you.’ Also, the consumer will decide whether they want multichannelling or high definition television; hence, we put the restriction on any reduction in the HD quota until after the analog has been switched off so that the market has an opportunity to determine and decide HD characteristics and which way the consumer wants to go in purchasing a set-top box.

Obviously, a HD set-top box is going to be more expensive. If you have gone for that extra expense, you want some sort of stability in that set-top box being future proofed; hence, the requirement for over-the-air downloads by the manufacturers. With the establishment of a testing and conformance centre, these boxes in the Australian market should be able to be updated by the manufacturers for the next broadcasting technology through over-the-air download to the set-top boxes. If there is a standard conformance and testing centre, each manufacturer can make sure that their download is not going to interfere with other people’s boxes. That is an essential part of the move to digital television, building in some consumer future proofing. One of the things we found was that people tend to sit back and wait for the technology to increase and prices to crash before they invest—‘If I don’t have to invest in a
set-top box now, why would I? By 2009 when I do have to make a decision, the technology will be much better and I will be getting a bigger bang for my buck.’

If at that stage people want to buy in at the top end of the set-top box market, let us make sure that they are getting some longevity for their purchase, given the rapid changeover in the broadcasting technologies. We are now seeing terrific compression technologies which will allow HD multichannelling into the future. But, for that to proceed, we do not want to be giving the spectrum that government has back to the broadcasters for more simulcasts. We want them to work within their own seven kilohertz of spectrum and not be coming back to government all the time for more spectrum just so that they can maintain audience capture.

The inquiry was a really interesting and thoroughly enjoyable exercise. I might take the opportunity now to finish a few of the comments that I started in the main chamber and did not get a chance to finish. I think I am going to run out of time again, but I congratulate the chair on this procedure. When people have done so much work on a report, it is wonderful to have an opportunity, as we do here, to discuss it and let all the members, not just the chair and the deputy chair, have a say about their contribution and their efforts. I commend this particular practice and hope it continues. Perhaps after the member for Lowe has spoken I might have an opportunity to finish the speech which I wrote for the main chamber.

Mr MURPHY (Lowe) (5.11 pm)—With great respect to my colleague and friends the member for Lindsay and the member for Hinkler, they are acutely aware of my keen interest in the government’s media policy. My contribution today, for the benefit of the member for Hinkler and the member for Lindsay, is not directed personally at them, because I know their intentions in a very narrow field in relation to the lack of uptake on digital TV are sincere. But I will argue that the government is accountable for that.

I approached the inquiry of the House of Representatives Standing Committee on Communications, Information, Technology and the Arts into the paltry uptake of digital television in Australia with the naïve hope that the government would come to the long overdue realisation that Australians are sick of the vice-like grip of media fat cats over media policy in our country. The inordinately slow adoption rate of digital television should be of major concern to the government. It is estimated that fewer than 500,000 of Australia’s 7.8 million households—or a feeble penetration rate of five per cent—have adopted digital television. This is compared with figures of around 70 per cent penetration of the United Kingdom market.

There can be absolutely no doubt that this monumental failure to convince Australians to take up digital technology before the scheduled termination of analog transmission in 2008 lies squarely at the feet of the Howard government’s media policy, which continues to sell out our democracy and the public interest to the incumbent media players, as I have been saying in this House for the last five years.

I am disappointed that this inquiry’s background discussion paper continues the government’s tradition of attempting to off-load the responsibility for its failures by attempting to muddy the waters of responsibility. I have not been misled by such ‘key points’ as whether the retail sector has failed to embrace digital television technology or whether the industry can further facilitate the uptake of digital television. Neither have the Australian people.

There are many submissions in the possession of this inquiry which contain a common theme of disenchantment with laws that have clearly been purpose built for this country’s me-
At the end of the previous session, the main witnesses were media moguls. I will paraphrase from but a few of such submissions. John White believes Australians are not taking up digital television because people do not perceive any additional benefits such as multichannelling. Steve Ulrich and Paul Macknamara believe that digital television does not offer enough additional programming or content to provide incentive for consumers to upgrade. Erik Fenna questions the value of upgrading to digital television and is rightly sceptical of its benefits. These are the thoughts that are common among many submissions, and they are conclusions that have been confirmed by the report of a study commissioned by the Australian Communications and Media Authority in 2005 titled *Digital media in Australian homes*.

It is sad that the likes of Erik Fenna should remain sceptical about the inherent value of digital television technology. It is sadder still that such scepticism should exist because of the actions and policies of the Howard government. In my view, the advent of digital television in 2001 should have been a major milestone for the television industry. However, due to the government’s poor handling of its implementation, digital television has become nothing more than a pale imitation of analog transmission.

With the exception of the SBS and the ABC, the government’s Broadcasting Services Act does not allow broadcasters to take full advantage of the technology of digital TV by offering services such as multichannelling and unrestricted datacasting, despite the public’s clear demands for greater diversity in TV programming.

The obvious question must arise: why is the government withholding a superior product from the Australian people by dogmatically grasping its flawed policies on datacasting and multichannelling? Some insight may be sought from the comments by the previous Minister for Communications, Information Technology and the Arts, Senator Alston where, inter alia, he said:

… the Government does not want datacasters to be able to provide the same kinds of programs as we already get on television.

Just why it is so abhorrent for datacasters to compete with existing networks has never been clearly articulated by the government. Indeed, the government has often refused to tell the Australian people the real agenda of its policies, which are designed in the main, as I have been saying for the last five years, to benefit Australia’s major media owners—Mr Murdoch and now Mr James Packer—further concentrating media ownership in Australia and doing irreparable damage to the public interest and Australia’s democracy. But I will come to that later.

The former minister’s comments merely scratch the surface. The government’s refusal to allow new entrants into the media industry knows no bounds. What is most problematic about the approach to digital television in Australia is this government’s track record of deviating from a commitment to providing a diverse range of services offering entertainment, education, news and information. It seems more willing to do all it can to further concentrate media ownership in Australia, even if it is at the expense of the future of digital television. That is the view that I sincerely hold. At every juncture of digital TV policy, the government has navigated a dangerous path which seeks to appease entrenched segments of the television and pay television industry, including Messrs Packer and Murdoch. Tell me if I am wrong?

The government has successfully regulated the content that datacasters may broadcast to prevent them from becoming alternative sources of news and information to the mass market.
through what should have been the digital revolution. In 1998 the government shamefully amended the Broadcasting Services Act to outlaw the allocation of commercial television licences to new entrants, despite the increased spectrum that would conceivably become available through the advent of digital television.

Most galling of all, the government is blindly adopting the Packer and Murdoch doctrine of abolishing cross-media ownership laws. If it were not so damaging to our democracy, it would almost be comical that the government could consider removing cross-media protections before removing the present regulatory barriers to entry, of which I have just spoken. It is unconscionable that new entrants are presently forbidden from acquiring a television licence so as to allow incumbent and more powerful media proprietors the opportunity to challenge for the same licences upon the repeal of cross-media laws.

In his Australia Day address to the National Press Club, the Prime Minister made several exalting references to Australia’s proud democratic traditions: ‘There can be no doubt that a fiercely independent media, strengthened by industry diversity, has contributed to these democratic traditions.’ That is what he said. Why then is the Howard government hell-bent on reducing opportunities provided by digital television to increase the diversity of services, while simultaneously abolishing cross-media ownership laws, and all the while putting more power and influence in the hands of unelected media proprietors?

This government is not interested in the opportunities for digital TV in datacasting, in my view. It is not interested in the opportunities for digital TV in multichannelling. It is not interested in ensuring that there are more rather than fewer media proprietors in Australia. It is seemingly only interested in dispensing threats posed to the two biggest media players. In a report published in 2000, the Productivity Commission reported that the total value of television licences in Australia was $3 billion as at June 1998. They are not in need of protection.

It is time that this government began to represent the Australian people on the issues of digital TV and media diversity, not the media fat cats to whom it appears to be so beholden. If the government is serious about increasing the uptake of digital TV and honouring the laudable objectives of the Broadcasting Services Act, it must recognise that it has failed to capitalise on the many technological advantages of digital television and, as a result, provided little if no incentive for consumers to adopt digital television.

In conclusion, and with great respect to my colleagues opposite, I am sending a message to the government through them—because I know they are sincere members of parliament and look after their electorates—it must take a greater and genuine interest in datacasting, multichannelling and abolishing the restriction of new free-to-air television entrants if it is to overcome its abject failure in stimulating digital television adoption. I do not think there can be a more serious threat to the public interest in our democracy than the agenda of the government concentrating media ownership. Kowtowing to the two biggest players is very un-Australian.

Miss Jackie Kellty (Lindsay) (5.21 pm)—by leave—I thank the member for Lowe for granting me leave to finish a few remarks which might touch on a few of the issues that he has already mentioned. As I was saying, the Standing Committee on Communications, Information Technology and the Arts in its report Digital television: who’s buying it? also recommended that a testing and conformance centre for digital television equipment be established, with the Australian government to provide $1 million in seed funding in the first year. The
committee urges the Department of Communications, Information Technology and the Arts to continue to work with industry stakeholders to develop an appropriate model and set of objectives on which a new testing and conformance centre will be based. One of the recommendations is also for the One Watt Initiative to be fully implemented by the switch-off date.

A lot of the set-top boxes that we saw use eight, nine or 10 watts in standby mode. The drain in energy consumption when 15 million analog sets acquire a set-top box, unless we move to the One Watt Initiative for sets in standby mode, is quite big and we would like to see a move incorporating more of the set-top box into DVD and VHS in standby mode. I think that is a real challenge for the Western world with a lot of these adaptations to our TVs and how much power they use in standby mode.

The committee is aware that there is a great deal of confusion amongst consumers concerning digital television. The committee noted that energy-rating and water-rating label schemes are very useful guides for consumers in assessing and analysing different products in the market and that a similar scheme could apply to televisions and digital reception equipment. The report recommends the establishment of a mandatory labelling scheme that will force manufacturers and retailers to accurately identify the capabilities of televisions and digital reception products they sell. So, if as Miss Kelly from the western suburbs of Sydney I come to a retailer to buy a set-top box and I really do not know much about standard definition, high definition, one watt standby mode or what I should be looking for, there will be a little label on the product with ticks in the various effective boxes so that I can at least inquire and say, ‘Why wasn’t the high definition box ticked?’ and seek assurances from the retailer about what I am purchasing.

Finally, the report recommends that a digital black spots program be established to replace the analog black spots program. It is fairly pointless to continue fixing analog black spots when we are moving to digital by 2010 and we really need to be reaching out and fixing digital black spots. The recommendations outlined in the report are designed to promote the uptake of digital television. Internationally, the digital television revolution is already happening. If as a nation Australia is to access the enhancements, television quality and production opportunities that are available elsewhere in the world, then now is the time to buy into the digital television revolution. Again, I thank everyone who was involved in preparing the report and I commend Digital television: who’s buying it? to the House.

Mr NEVILLE (Hinkler) (5.25 pm)—In the days before communications and transport were separated, I chaired this committee. I recognise, although I also know the member for Lowe has some misgivings about it, that this is a very sensible, measured report. I do not think it plays to any particular media interest. It might play to all of them, in the sense of the free-to-airs, in that they are on a level playing field, and it does not specifically mention a fourth free-to-air, as I understand it. What is sensible about it is that it sets an agenda for the switch-off of analog. It seems to me that 2010 corrects any of the problems that existed following the Democrat amendment to the original switch-off date. It reinstates that and a bit more. I think that is important, because the uptake of digital has not been as good as we might expect. I suppose that is because some people are drawn by the quality of the television presentation—high-definition is certainly a beautiful picture to watch—but, then, a lot of other people are quite happy with a standard definition screen. Some like a wide screen. I have a
wide-screen analog. I suppose with a set-top box I will be able to move to digital. In fact, I am looking at the options now.

From a practical point of view, not having been part of the inquiry, I think the committee has picked up on a very important thing. The amount of paraphernalia and claim and counter-claim you get when you go into an electrical or a television sales area is unbelievable, from the $49 set-top box right through to the $500, $600 or $700 box that has a hard drive that can record up to 80 hours and an instant playback facility so that, if you miss the first quarter-hour of *Four Corners*, it can replay that for you. Then there is the quality of picture. The set-top box will convert digital signals down to analog and the like. You have all these options. To go in and see those options lined up there, you start to get an appreciation of what your set-top box will allow you to do. There are other facilities in it, as I understand it, which will allow you to have various camera angles on the crowd. If the uninitiated go and buy a $49 set-top box and find that the box does not do most of the things they want it to, that will obviously leave a sour taste in some people’s mouths.

As the person who was primarily responsible for the black spots program, I remember going to see the Prime Minister and telling him I had a section in my electorate, between Bundaberg and Gladstone, where 5,000 or 6,000 people, 40 years on from the introduction of television, still did not have access to it. He said to me, ‘Paul, surely that’s not right.’ I explained to him that it was right, and that was the genesis—that and another incident near Gladstone—of the black spots program. In fact, Senator Ian Campbell, when he was the parliamentary secretary for communications, acknowledged that. A green movement tried to stop a black spots tower going up in Agnes Water in my electorate, and it dragged on through the courts for nearly three years. I remember the minister writing to the council, saying it would be an irony if the very shire that got the black spots program for Australia ended up not having one itself. However, that has since been corrected.

Apparently, with a digital signal, if you can pick up a bit of the digital signal you can get a very good picture, whereas with analog, if it is on the margins, you do not generally get a good picture. I expect from that that when we put the new transponders onto the towers, assuming they have the same throw, it will be a good thing. It makes sense that if any black spots are introduced between now and 2010 it will be better to go to digital television transmission.

I have often thought—although this is not covered in the report—that for those on low incomes, pensioners, who are forced into such a situation perhaps there should be some subsidy for the set-top box. Now that the cost is down to around $49 it would not burden the government unduly by having to incur a great deal of expense. I also think it is time that we started using datacasting to its full potential. Back in the early days of datacasting we were so cautious not to have a bunfight or create a mess that later governments would have to unscramble. Perhaps we were a little too conservative in taking the brakes off. The committee have set a target of 2008, which I think makes a lot of sense.

Multichannelling has been a hotly debated issue. I suppose if people are going to use their digital televisions and are going to buy better quality set-top boxes in future they are going to want more than just a pretty picture. I know people who are buying set-top boxes now for no purpose other than to get the additional channels—that is, ABC2, the other SBS channel and some of the special radio networks that are being transmitted through that medium, like the...
jazz channel and so on. I know people are buying set-top boxes purely for that reason. This
indicates that, while people certainly want a better picture, many will be happy with standard
definition. I think people will want to move to the widescreen format; they will want to move
from the 4.3 to the 9.16 format. It makes a lot of sense to transmit in that format.

I have some ambivalence about not allowing a limited form of subscription. I think the roll-
out in Australia of the cable network and the satellite network of pay television was not done
as fairly as it might have been. I hope that the government, when reviewing these things in
future, will look at multichannelling. I accept the argument that people have invested a lot of
money in cable as it exists now and in the satellite transmission of pay TV, but I seriously
wonder whether there are not other forms of subscription television. We should not close the
doors on this forever and a day. Obviously with the coalescence of many technologies there are
great opportunities for Australia in digital television in terms of better pictures and datacast-
ing. I commend the member for Lindsay for her excellent work on this and I commend the
report to the House.

Mr MURPHY (Lowe) (5.34 pm)—by leave—I seek leave to respond to one point that the
member for Hinkler made at the outset of his contribution. If I understood it correctly he
made the point that he believed that the committee was fair to the existing free-to-air players
and was not advocating for the introduction of a fourth free-to-air television licence to provide
a further free-to-air television network in Australia. I only wanted to make the point in the
context of the whole of the government’s media policy that you have people like John Single-
ton who would like to have a fourth free-to-air television licence in Australia which would be
100 per cent Australian content. That would be a good thing.

I know the member for Hinkler is aware of my bona fides in relation to this policy because,
when I was a member of the House of Representatives Standing Committee on Communi-
cations, Transport and the Arts in the 39th Parliament, we got along so well that I was
anointed—I would not say this at my local branches!—as an honorary member of The Na-
tionals. The member for Hinkler conducted the communication inquiries very well, but he will
clearly recall that I wanted to initiate an inquiry into media ownership even at that stage, be-
fore the government announced that it was going to reform our media ownership laws and
deregulate the laws to allow a media proprietor to own television stations, radio stations and
newspapers, all in the one market. This was against a background of no-one else being al-
lowed to have a fourth free-to-air television licence and the two biggest players—Mr Mur-
doche and Mr Packer—having the monopoly on pay television.

I am sincerely concerned about that. I know the member for Hinkler is as well, because he
has spoken about this. I am not sure whether the member for Lindsay has, but I know the
member for Hinkler has because of the nature of the media in his electorate in Queensland. It
is something that all of us should have a serious look at. I really hope that out of this debate
today—I pay tribute to the member for Lindsay for the job that she did on this committee—
the member for Hinkler can get some honest debate going on his backbench. I talked to many
members of the government. Mr Packer and Mr Murdoch would chew and spit all of us out
when it suited them, and that is just not in the public interest. It is not good for our democracy.
I would like to see so many more media owners in Australia so that we might get greater di-
versity of news and information. That can only be very healthy for the public interest and the
future of our democracy. I am grateful for the opportunity to make these few comments, and I

MAIN COMMITTEE
commend the member for Lindsay and the committee for the work they have done in this area.

Mr Neville—Mr Speaker, I wish to intervene. I wish to ask a question.

The DEPUTY SPEAKER (Hon. DGH Adams)—Is the member willing?

Mr MURPHY—I am happy to allow a question.

Mr Neville—My question is in two parts. Firstly, was it not Mr Singleton’s view that this fourth network would go straight to digital? Secondly, would the member for Lowe think there was sufficient product available to ensure that we had six free-to-air channels, given the falling standard that we have seen over recent years?

Mr MURPHY—The answer to the first part of the member’s question is yes. In response to the second part, it is my understanding that Mr Singleton had a very close personal relationship with the late Kerry Packer and, notwithstanding his desire to provide that fourth licence and 100 per cent Australian content, he certainly was not of a mind to take on Mr Packer. That is probably why this matter has not progressed very far.

But when you think of just how few media players we have and just how powerful they are—and we know they can change governments if they are all campaigning against you—you realise it is a very serious matter to allow the Packer camp to buy Fairfax and the Murdoch camp to buy free-to-air television network, because they are getting very heavily involved in all the new age media and are moving aggressively into the internet, where a lot of people get their news and information from.

But the internet is not where most people get their information from. Every day we turn on a radio station, open a newspaper and look at a free-to-air television broadcast and that, in the main, influences the way we think and vote. I would like to think there is a way around this. When the debate occurred in the last parliament, I did not accept it when the former head of the Australian Broadcasting Authority, Professor David Flint, said that he could issue certificates of exemption to separate a newspaper proprietor from their editors. We just know that is not realistic—human nature would not allow it.

Look at what Peter Andren, the member for Calare, said about his time working for Mr Packer and how Mr Packer used to interfere with the news bulletins. Then I point to one of the most important issues that faced this government in recent years: Australia’s involvement in the war in Iraq, where all Mr Murdoch’s newspapers in North America, United Kingdom and Australia showed uniform editorial support for the war. He is entitled to have a view, and I have no problem with that, but as one of 300,000 or 400,000 people who marched in the streets in Sydney against our participation in the coalition of the willing—and the some one million people who marched in the streets of London; I spoke to someone there at that time—you might have thought that somewhere in the UK, Australia or even North America an editor working for News Corporation or News Ltd would have come out and challenged the position of the boss. Of course they did not do that—and why? Because he who pays the piper calls the tune, and it is human nature.

We have to take this to the stage where we can do something about it and have more opportunity for real people to provide competition. We know that individuals who set up their own websites will not be able to provide any serious competition to PBL and News Ltd in Australia. I know that some members of the government are very worried about these issues of the

MAIN COMMITTEE
public interest and the future of our democracy, so I hope that when the debate occurs we can do something sensible about this. I would have no problem with changing the laws if the existing major players shed some of their assets; but, as I understand it, the government are proposing to allow them to hang onto everything they have and they can buy even more assets.

Just imagine the clout of James Packer and Lachlan or Rupert Murdoch if they owned television stations, radio stations and newspapers in Sydney, or anywhere else for that matter. They have the monopoly on pay television and no-one else is allowed to have a fourth free-to-air television network. The big players are obtaining the major news and information sites on the internet with all the banners that lead back to their own publications and other forms of electronic media. It is a serious issue that I feel passionately about. I am not against Mr Packer or Mr Murdoch, but I want to see some sense in this debate. I would like to think that, when people go to the ballot box on election day to cast their vote in Hinkler, Lindsay, Lowe or anywhere else, their vote will actually count and we will not effectively be in a situation where you ‘vote 1 Packer’ and ‘vote 2 Murdoch’ and only worry about the donkey vote. I really believe that is a threat because those entities are so powerful when they run an editorial line against the government or the opposition. And winds change: we know that they have supported our side of politics in the past and doubtless they will again, but it should be at the expense of concentrating media ownership.

For instance, I would be the first to advise Kim Beazley—and I am his parliamentary secretary—that the last thing he should do is to mortgage his heart and soul to the two biggest media companies to become Prime Minister. That sort of thing would be absolutely appalling, and we cannot allow that. I have made my point and I do not want to delay the committee. I appreciate the opportunity to express those thoughts and I know my two colleagues here will promote some of the things I am saying in the debate with their colleagues when the Broadcasting Services Amendment (Media Ownership) Bill comes back to the House for debate.

Debate (on motion by Mr Danby) adjourned.

Main Committee adjourned at 5.46 pm
QUESTIONS IN WRITING

Cross-Media Ownership Rules
(Question No. 583)

Mr Murphy asked the Prime Minister, in writing, on 14 February 2005:

(1) Has he read the article by Tony Wright in The Bulletin on 15 February 2005 attributing comments made by him concerning Australia’s cross-media laws.

(2) Can he confirm that he was correctly quoted as saying “if we end up with everyone coming in for a chop and the thing being impossible to resolve, we’ll just leave it as it is”; if so, can he explain what he meant.

(3) Will he guarantee that any Bill to be introduced by his Government into this Parliament will not allow further concentration of media ownership; if not, why not.

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

(1) to (3) The government committed at the last election to reform media ownership laws, while protecting the diversity of our media industry. The government is currently considering how best to achieve that balance. The Minister for Communications, Information Technology and the Arts announced in November 2005, the government will issue a discussion paper in early 2006 outlining proposals for digital and media reform in Australia.

The paper will include a discussion on how the objectives of relaxation of foreign and cross-media ownership rules can be best achieved in the context of greater choice and diversity offered by digital broadcasting.

Crosby Textor Research Strategies
(Question No. 1738)

Mr Bowen asked the Prime Minister, in writing, on 22 June 2005:

(1) Has a department or any agency in the Minister’s portfolio engaged Crosby Textor Research Strategies for any purpose in the financial years (a) 2002-2003, (b) 2003-2004, and (c) 2004-2005.

(2) In respect of each occasion Crosby Textor Research Strategies was engaged, what was the value of the contract, (b) what services were provided, and (c) was a call for tenders issued.

Mr Howard—I am advised that the answer to the honourable member’s question is as follows:

(1) (a) to (c) No.

(2) Not applicable.

Advertising Agencies
(Question No. 1785)

Mr Bowen asked the Prime Minister, in writing, on 23 June 2005:

(1) Will the Minister provide a list of advertising agencies which are used by the department and the agencies in the Minister’s portfolio.

(2) What sum was paid to each advertising agency used by the department and agencies in the Minister’s portfolio in (a) 2003-2004 and (b) 2004-2005.

Mr Howard—I am advised that the answer to the honourable member’s question is as follows:
(1) The department and the agencies have no ongoing arrangements with advertising agencies.

(2) (a) $990,000 was paid to Grey Worldwide Pty Ltd by the Department of the Prime Minister and Cabinet for the National Campaign for the Elimination of Violence Against Women. (b) Nil.

Advertising Agencies

Mr Bowen asked the Minister for Transport and Regional Services, in writing, on 23 June 2005:

(1) Will the Minister provide a list of advertising agencies which are used by the department and the agencies in the Minister’s portfolio.

(2) What sum was paid to each advertising agency used by the department and agencies in the Minister’s portfolio in (a) 2003-2004 and (b) 2004-2005

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

(1) The Department of Transport and Regional Services (DOTARS) engaged two such providers. No other portfolio agencies engaged such providers.

(2) Advertising Agency Department/Agency 2003-2004 2004-2005
Singletons, Ogilvy and Mather DOTARS $422 184 $184 797
Grey Worldwide* DOTARS nil $1 000

* The total cost of the Grey Worldwide service was $609,254 but only $1000 was paid in 2004-2005

Swastika

Ms Hoare asked the Prime Minister, in writing, on 18 August 2005:

(1) Can he say whether it is an offence under a Commonwealth law to fly the swastika?

(2) Is he aware that the swastika represents ideals highly offensive to the majority of Australians and that its flying as a flag can intimidate and provoke fear in many individuals, particularly Jewish and migrant Australians?

(3) Is he aware of the decision by the Federal Court in Jones v Toben in which it was found that the publication of material that vilifies Jewish people was an offence under the Racial Discrimination Act?

(4) Will the Government introduce legislation to make it an offence to fly the swastika in the interest of community harmony; if not, why not?

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

(1) I am advised that there is no specific offence related to the flying of the swastika. It is possible, however, that flying the swastika in some particular circumstances may constitute an offence under a Commonwealth law.

(2) I would expect that a substantial proportion of the Australian population find Nazism and its imagery repugnant and that the flying of the swastika would be offensive to many individuals, including Jewish and migrant Australians.

(3) I am aware that the court found that the respondent had engaged in conduct which is unlawful under the Racial Discrimination Act. I am advised, however, that under the terms of the Act, this does not constitute a criminal offence.

(4) The Government has no current plans to introduce legislation of this kind. However, the honourable member may like to note that under current Commonwealth legislation there may be particular

QUESTIONS IN WRITING
circumstances, such as displaying the swastika at a polling place or flying the swastika with seditious intent, which may already constitute an offence.

National Community Crime Prevention Program
(Question No. 2243)

Mr Price asked the Minister representing the Minister for Justice and Customs, in writing, on 6 September 2005:

(1) In respect of the eight successful applicants for regional grants under the National Crime Prevention Program announced on 7 May 2005, (a) what are the criteria for each of the three streams for selecting a project, (b) how were the criteria developed and (c) by whom were the criteria developed.

(2) Was ministerial approval required for the implementation of the criteria; if so, when and by which minister was approval granted.

(3) Were the criteria developed and or approved by a committee of coalition backbench members; if so, which committee and what is its structure and membership.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) (a) The criteria for grants awarded under the Greater Western Sydney component of the National Community Crime Prevention Programme are set out in the published Guidelines for Funding Applications available on the internet at www.crimeprevention.gov.au (section 2.2 on Eligibility). Section 2.2.8 Selection Criteria is at Attachment A. The same criteria apply to the three streams. The Community Partnership Stream also requires the provision of in-kind and financial contributions to projects from the organisation seeking funding and other community and/or government partner agencies.

(b) and (c) The Guidelines for Funding Applications were developed by the Attorney-General’s Department in April 2004 based on programme parameters set by the Government in the context of the 2004-05 Federal Budget.

(2) The Guidelines for Funding Applications were approved by the Minister for Justice and Customs, Senator the Hon Chris Ellison in April 2004.

(3) No.

ATTACHMENT A

2.2.8 Selection Criteria (from the National Community Crime Prevention Programme: National Community Grants Programme Guidelines for Funding Applications, November 2004)

The Advisory Group will consider projects based on the following:

- eligibility of the applicant organisation,
- eligibility of the proposed project – its consistency with the programme’s key objectives and principles,
- demonstrated need for, and the potential impact of, the proposed project,
- likely community safety and crime prevention benefits of the project,
- the project has been initiated, planned and implemented by a core group of local people that is representative of the diversity of the community and which has the ability to plan, implement and evaluate projects,
- how the impact/success of the project/strategy will be measured,
- community/key stakeholder involvement in, or support for, the project,
• agreement of any community groups involved in the project,
• enduring value or ongoing benefits to the community,
• organisational capacity of the applicant organisation (demonstrated capacity to successfully manage project and to administer grant funds). The applicant must have small, efficient and transparent administrative structures that are accountable and based within the local community (very small voluntary organisations are encouraged to seek sponsorship from organisations with demonstrated credibility in the administration of grants – see 3.7 in these Guidelines),
• consistency with proven good practice, and
• opportunities for broad community involvement and participation in the project, including in its evaluation and assessment.

Local Indigenous support
Projects that have an Indigenous focus or component must have the explicit agreement and support for the project from the appropriate local elders.

National Community Crime Prevention Program
(Question No. 2244)

Mr Price asked the Minister representing the Minister for Justice and Customs, in writing, on 6 September 2005:

(1) In respect of each unsuccessful applicant for regional grants under the National Crime Prevention Program announced on 7 May 2005, (a) who applied, (b) what are their contact details, (c) for what sum did they apply, (d) under which funding stream did they apply, (e) in which federal electoral division are they based, and (f) what was the nature of the proposed project.

(2) In respect of each unsuccessful project, (a) how many people did it seek to engage as part of the project, (b) what were defined as successful outcomes, (c) in what way did it fail to meet the selection criteria and, if it did not fail to meet the criteria, why was it not chosen.

(3) Has each unsuccessful applicant been advised of its failure to be selected and the manner in which it failed to meet the selection criteria; if not, why not.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) Seventy-eight applications were received for the Greater Western Sydney region component of the National Community Crime Prevention Programme (NCCPP), one of which was subsequently withdrawn. It is not in the public interest for me to provide the details requested about individual unsuccessful applications as:
• it may affect the future numbers of applications received for the programme;
• as applicants were not advised that information they provided would be considered public information, the information should not be released without the applicants’ consent; and
• the diversion of resources from the programme to provide this information is not warranted.

(2) It is not in the public interest for me to provide the details requested about individual unsuccessful applications for the reasons as set out in (1) above.

(3) All unsuccessful applicants were advised of the outcome of their application and offered feedback about their application on request.
Professional Facilitators International
(Question No. 2411)

Mr Bowen asked the Prime Minister, in writing, on 10 October 2005: Did his department engage Professional Facilitators International to provide training on giving and receiving feedback at a cost of $37,000; if so, how many employees received training under the terms of this contract and what was the format of the training.

Mr Howard—I am advised that the answer to the honourable member’s question is as follows:

(1) Yes.
(2) Approximately 420 staff over two years from September 2005 to June 2007.
(3) Three hour sessions on site at PM&C, covering both theory and practice.

Overseas Travel
(Question No. 2426)

Mr Melham asked the Attorney-General, in writing, on 10 October 2005:

(1) Did the Minister for Health and Ageing or his office inform the Protective Security Coordination Centre (PSCC) of his intention to take a family holiday in Bali in September/October 2005.
(2) Was the PSCC informed of the Minister for Health and Ageing’s planned travel to Bali by the Department of Foreign Affairs and Trade (DFAT) or any other Australian Government agency.
(3) Did the PSCC obtain a threat assessment from the Australian Security Intelligence Organisation or the Australian Federal Police concerning the Minister for Health and Ageing’s intention to take a family holiday in Bali; if so, was the threat assessment consistent with the publicly available travel advice issued by DFAT.
(4) Were any specific measures taken to ensure the security and safety of the Minister and his family in an area characterised by a significant terrorist threat.

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

(1) The Minister did not inform the Protective Security Coordination Centre (PSCC) of his intention to take a family holiday in Bali in September/October 2005.
(2) The PSCC was not informed by DFAT or any other Australian Government agency of the Minister’s planned travel.
(3) As the PSCC was not aware of the Minister’s proposed travel a threat assessment was not sought.
(4) The PSCC was not aware of the Minister’s proposed travel therefore no security measures were put in place relating to the Minister’s intended travel.

Transit Visas
(Question No. 2600)

Mr Laurie Ferguson asked the Minister for Citizenship and Multicultural Affairs, in writing, on 9 November 2005:

(1) How many and which European nations issue official travel documents to people who are not citizens?
(2) In respect of each nation identified in part (1), (a) what is Australia’s practice in respect of the issuing of Electronic Travel Authority visas as opposed to Tourist Class TR Subclass 676 visas and (b) what are the most recent figures for (i) visitor overstays and (ii) visitor non-return rates?
(3) Is Australia’s attitude on the requirement for transit visas related to security aspects?
(4) Which countries’ citizens are not required to have transit visas for movement through Australian international airports?

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

(1) The majority of European nations issue travel documents to people who are not citizens.

The following table lists each country, with an indication of whether they issue documents to non-citizens.

<table>
<thead>
<tr>
<th>European Passports</th>
<th>Nationality</th>
<th>Countries that issue non-citizen passports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andorra</td>
<td>N</td>
<td></td>
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<tr>
<td>Austria</td>
<td>Y</td>
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<td>Finland</td>
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<td>Irish Republic</td>
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<tr>
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<tr>
<td>Vatican City</td>
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</table>

(2) (a) Australia offers several tourist visa options:

- Electronic Travel Authority
- Electronic Tourist visa (e676)
- Tourist Class TR Subclass 676 visa
The following table details access to each of these options by country:

<table>
<thead>
<tr>
<th>Nationality</th>
<th>Tourist Class TR Subclass 676</th>
<th>Electronic Tourist Visa (e676)</th>
<th>Tourist Electronic Travel Authority (Subclass 976)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albania</td>
<td>Y</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Andorra</td>
<td>Y</td>
<td>Y</td>
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<td>Austria</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
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<tr>
<td>Belgium</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Bosnia-Herzegovina</td>
<td>Y</td>
<td>N</td>
<td>N</td>
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<td>Bulgaria</td>
<td>Y</td>
<td>N</td>
<td>N</td>
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<td>Croatia</td>
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<td>Latvia</td>
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</tr>
</tbody>
</table>

Countries that are able to apply for a Tourist Class TR Subclass 676, Electronic Tourist Visa (e676) and Tourist Electronic Travel Authority
Countries that are able to apply for a Tourist Class TR Subclass 676, Electronic Tourist Visa (e676) and Tourist Electronic Travel Authority

<table>
<thead>
<tr>
<th>Nationality</th>
<th>Tourist Class TR Subclass 676</th>
<th>Electronic Tourist Visa (e676)</th>
<th>Tourist Electronic Travel Authority (Subclass 976)</th>
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<tbody>
<tr>
<td>Switzerland</td>
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<tr>
<td>Vatican City</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
</tbody>
</table>

In general, those countries that issue non-citizen travel documents and have access to ETA either have a unique numbering system distinguishing non-citizen travel documents from documents issued to citizens, or provide for a “right of return” on travel documents issued to non-citizens.

The ETA system is programmed to identify citizen travel documents. Travel documents that do not conform to a recognised format are prevented from lodging an application.

### Short Stay Tourist and Tourist Electronic Travel Authority Overstay and Non-Return Rates for European Nationalities in the 2004-05 Program Year

<table>
<thead>
<tr>
<th>Nationality</th>
<th>Short Stay Tourist Visa (Subclass 676)</th>
<th>Tourist Electronic Travel Authority (Subclass 976)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Arrivals</td>
<td>Overstayer Rate (%)</td>
</tr>
<tr>
<td>Albania</td>
<td>66</td>
<td>1.52</td>
</tr>
<tr>
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<td>0.00</td>
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<td>Austria</td>
<td>45</td>
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<tr>
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<td>Bulgaria</td>
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<tr>
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<td>972</td>
<td>0.51</td>
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<tr>
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<td>Hungary</td>
<td>2,332</td>
<td>0.17</td>
</tr>
<tr>
<td>Iceland</td>
<td>2</td>
<td>0.00</td>
</tr>
<tr>
<td>Irish Republic</td>
<td>121</td>
<td>1.65</td>
</tr>
<tr>
<td>Italy</td>
<td>97</td>
<td>3.09</td>
</tr>
<tr>
<td>Latvia</td>
<td>384</td>
<td>0.26</td>
</tr>
<tr>
<td>Liechtenstein</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Lithuania</td>
<td>238</td>
<td>0.84</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Malta</td>
<td>2</td>
<td>0.00</td>
</tr>
<tr>
<td>Monaco</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Netherlands</td>
<td>155</td>
<td>1.29</td>
</tr>
<tr>
<td>Norway</td>
<td>27</td>
<td>0.00</td>
</tr>
<tr>
<td>Poland</td>
<td>4,283</td>
<td>1.21</td>
</tr>
</tbody>
</table>
### Short Stay Tourist and Tourist Electronic Travel Authority Overstay and Non-Return Rates for European Nationalities in the 2004-05 Program Year

<table>
<thead>
<tr>
<th>Nationality</th>
<th>Short Stay Tourist Visa (Subclass 676)</th>
<th>Tourist Electronic Travel Authority (Subclass 976)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Arrivals</td>
<td>Overstayer Rate (%)</td>
</tr>
<tr>
<td>Portugal</td>
<td>42</td>
<td>0.00</td>
</tr>
<tr>
<td>Romania</td>
<td>556</td>
<td>0.36</td>
</tr>
<tr>
<td>San Marino</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Serbia and Montenegro</td>
<td>842</td>
<td>1.07</td>
</tr>
<tr>
<td>Slovakia</td>
<td>1,098</td>
<td>0.73</td>
</tr>
<tr>
<td>Slovenia</td>
<td>1,761</td>
<td>0.11</td>
</tr>
<tr>
<td>Spain</td>
<td>31</td>
<td>0.00</td>
</tr>
<tr>
<td>Total for above countries</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sweden</td>
<td>51</td>
<td>0.00</td>
</tr>
<tr>
<td>Switzerland</td>
<td>76</td>
<td>1.32</td>
</tr>
<tr>
<td>Turkey</td>
<td>2,074</td>
<td>1.16</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>2,433</td>
<td>0.37</td>
</tr>
<tr>
<td>Vatican City</td>
<td>6</td>
<td>0.00</td>
</tr>
<tr>
<td>Total for above countries</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Global Total</td>
<td>440,394</td>
<td>0.56</td>
</tr>
</tbody>
</table>

**Notes:**

Not all passport holders are eligible to apply for Electronic Travel Authorities for Australia.

Arrivals' data only includes those persons whose initial Visitor visa ceased in the reporting period. It does not include those persons in Australia on a valid, initial, visa.

The Non-return rate (NRR) is a calculation of the percentage of persons who arrive and, at the end of the reporting period, have not left before their initial visa ceased. They may have (i) remained unlawfully, or (ii) departed on an expired visa, or (iii)...

The Overstayer Rate is a calculation of the percentage of persons who arrive and, at the end of the reporting period, have not left before their initial visa ceased. They may have either (i) remained in Australia unlawfully, or (ii) departed on an expire...

(3) The Australian Government takes advice from various government agencies in applying the transit without visa (TWOV) dispensation for transiting passengers. Australia’s TWOV arrangements have strict conditions also; an eligible traveller must have a confirmed onward booking to leave Australia within eight hours of their arrival, cannot leave the airside transit lounge, and, must have appropriate documentation for entry to their next country of destination.

Further, Advance Passenger Information (API) data is transmitted to the Department of Immigration and Multicultural and Indigenous Affairs by the carrier at the time of the check-in of the TWOV passenger through the Advance Passenger Processing (APP) system. On this basis Australia has details of the TWOV passenger in advance of their travel.

(4) Nationals from a specified number of countries are able to access Australia’s TWOV:
The following countries are covered under this arrangement:

(a) Countries that do not require a Transit Visa

<table>
<thead>
<tr>
<th>Country</th>
<th>Country</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andorra</td>
<td>Italy</td>
<td>Republic of South Africa</td>
</tr>
<tr>
<td>Argentina</td>
<td>Japan</td>
<td>Republic of Marshall Islands</td>
</tr>
<tr>
<td>Austria</td>
<td>Kiribati</td>
<td>Samoa</td>
</tr>
<tr>
<td>Belgium</td>
<td>Latvia</td>
<td>San Marino</td>
</tr>
<tr>
<td>Brunei</td>
<td>Liechtenstein</td>
<td>Singapore</td>
</tr>
<tr>
<td>Canada</td>
<td>Lithuania</td>
<td>Slovakia</td>
</tr>
<tr>
<td>Cyprus</td>
<td>Luxembourg</td>
<td>Slovenia</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>Malaysia</td>
<td>Solomon Islands</td>
</tr>
<tr>
<td>Denmark</td>
<td>Malta</td>
<td>South Korea</td>
</tr>
<tr>
<td>Estonia</td>
<td>Mexico</td>
<td>Spain</td>
</tr>
<tr>
<td>Federated States of Micronesia</td>
<td>Monaco</td>
<td>Sweden</td>
</tr>
<tr>
<td>Finland</td>
<td>Nauru</td>
<td>Switzerland</td>
</tr>
<tr>
<td>Fiji</td>
<td>Netherlands</td>
<td>Thailand</td>
</tr>
<tr>
<td>France</td>
<td>New Zealand</td>
<td>Tonga</td>
</tr>
<tr>
<td>Germany</td>
<td>Norway</td>
<td>Tuvalu</td>
</tr>
<tr>
<td>Greece</td>
<td>Palau</td>
<td>United Kingdom (including its colonies)</td>
</tr>
<tr>
<td>Hungary</td>
<td>Papua New Guinea</td>
<td>United States of America</td>
</tr>
<tr>
<td>Iceland</td>
<td>Philippines</td>
<td>Vanuatu</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Poland</td>
<td>Vatican</td>
</tr>
<tr>
<td>Ireland</td>
<td>Portugal</td>
<td></td>
</tr>
</tbody>
</table>

(b) Residents of Hong Kong holding Hong Kong Special Administrative Region (HKSAR) passports or British National Overseas (BNO) passports.

(c) Residents of Taiwan holding a passport issued by the authorities of Taiwan (other than passports purported to be official or diplomatic passports).

(d) Diplomatic passport holders, excluding holders of:
- Arab Non-National Passports; and
- Diplomatic passports from the following foreign countries:

<table>
<thead>
<tr>
<th>Country</th>
<th>Country</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Afghanistan</td>
<td>Jordan</td>
<td>Republic of Yemen</td>
</tr>
<tr>
<td>Algeria</td>
<td>Kuwait</td>
<td>Russian Federation</td>
</tr>
<tr>
<td>Angola</td>
<td>Lebanon</td>
<td>Saudi Arabia</td>
</tr>
<tr>
<td>Bahrain</td>
<td>Libya</td>
<td>Sierra Leone</td>
</tr>
<tr>
<td>Bosnia and Herzegovina</td>
<td>Madagascar</td>
<td>Somalia</td>
</tr>
<tr>
<td>Comoros</td>
<td>Mauritania</td>
<td>Sudan</td>
</tr>
<tr>
<td>Democratic People’s Republic of Korea</td>
<td>Morocco</td>
<td>Syria</td>
</tr>
<tr>
<td>Egypt</td>
<td>Oman</td>
<td>Tunisia</td>
</tr>
<tr>
<td>Iran</td>
<td>Pakistan</td>
<td>United Arab Emirates</td>
</tr>
<tr>
<td>Iraq</td>
<td>Qatar</td>
<td>Zimbabwe</td>
</tr>
</tbody>
</table>
Federal Executive Council  
(Question No. 2628)

Mr Melham asked the Prime Minister, in writing, on 10 November 2005: Why has he not provided an answer to question No. 147 asked on 18 November 2004.

Mr Howard—The answer to the honourable member’s question is as follows: The answer referred to question No. 147 was provided on 9 January 2006.

Employee Opinion Survey  
(Question No. 2722)

Mr Brendan O’Connor asked the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs, in writing, on 29 November 2005: Did the Minister’s department engage Davidson Trahaire Corpsych at a cost of $80,000 to conduct an employee opinion survey; if so (a) what was the purpose of the survey, (b) what were the questions asked in the Survey, (c) what were the survey results, and (d) how many employees took part.

Mr John Cobb—The Minister for Immigration and Multicultural and Indigenous Affairs has provided the following answer to the honourable member’s question: The Department of Immigration, and Multicultural and Indigenous Affairs (DIMIA) has contracted Davidson Trahaire Corpsych to assist in the delivery of an Employee Opinion Survey. The 2005 DIMIA Employee Opinion Survey is being conducted between 5 and 16 December 2005. Participation in the survey is voluntary.

(a) The survey data will provide the Department with an indication of:

- how receptive staff are to the change processes;
- whether the department’s organisational change themes of ‘open and accountable’, ‘fair and reasonable’ and ‘well trained and supported staff’ resonate with staff and are perceived to be translated; and
- staff views on a range of important topics such job satisfaction, management practices, internal communication, training and development, working relationships, and performance evaluation.

(b) A copy of the Employee Opinion Survey questions is at Attachment A.

(c) The Employee Opinion Survey will remain open for staff to participate until 16 December 2005. Further information about the survey results will be available following finalisation of the survey report, which is anticipated in early 2006.

(d) The survey will conclude on 16 December 2005; as at 8 December 2005, the Department had received over 2,329 completed survey responses. It is expected that this amount will be increased substantially by 16 December 2005.

Attachment A

SECTION 2. GENERAL QUESTIONS

<table>
<thead>
<tr>
<th>Agree</th>
<th>Tend to Agree</th>
<th>Tend to Disagree</th>
<th>Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Senior management provides a clear sense of direction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>I have a very clear idea of my job responsibilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Agree</td>
<td>Tend to Agree</td>
<td>Tend to Disagree</td>
</tr>
<tr>
<td>---</td>
<td>-------</td>
<td>---------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>3</td>
<td>My manager does a good job of building teamwork</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>The department does a good job of keeping employees informed about issues that affect us</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>The department really encourages us to develop productive relationships with clients</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>I believe I have the opportunity for personal development and growth in this department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>I understand how my performance on the job is evaluated</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>I have the equipment/tools/resources I need to do my job effectively</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>The people I work with cooperate to get the job done</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>My work schedule allows sufficient flexibility to meet my persona/family needs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>My work gives me a sense of personal accomplishment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>The department maintains high ethical standards</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>I have sufficient authority to do my job well</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>The department is highly regarded by the general public</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>I am proud to be part of the department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>There is sufficient contact between management and employees in the department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>I understand how my work contributes to the overall objectives of the department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>My manager gives me recognition for a job well done</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>The information I need to do my job is readily available</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Management in my work area demonstrates its commitment to clients through policies and procedures that reflect that commitment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>I believe the department offers long term opportunities for me</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>I think my performance on the job is evaluated fairly</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Morale in my work area is generally high</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>I feel my personal contributions are recognised</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>The department’s values are dear</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>People in my work area are encouraged to develop innovative solutions to work related problems</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>The department is highly regarded by its clients</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>I believe strongly in the goals and objectives of the department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>The decisions management makes concerning employees are usually fair</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>I have a clear understanding of the goals and objectives of the department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>My manager responds to poor performance in an effective manner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>My manager keeps me informed about issues that affect me</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>My work area receives feedback on how satisfied our clients are with the work we perform</td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>The training I have received has improved my work performance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>My manager gives me regular feedback on my performance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>If I were dissatisfied with my manager’s decision on an important matter, I would feel confident to go to someone higher in authority</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>I believe management decisions are consistent with the APS core values</td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>The department is highly regarded by its employees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>I would recommend the department as a good place to work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>If I were to raise a concern with my manager, I feel confident it would be handled well</td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>I understand my responsibilities when delivering client services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>I am willing to work beyond what is required in my job to help the department succeed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>The department energizes me to go the extra mile</td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>I fully support the values for which the department stands</td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>It would take a lot to make me look for another employer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>At the present time, are you seriously considering leaving the department?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Agree</th>
<th>Tend to Agree</th>
<th>Tend to Disagree</th>
<th>Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Don’t know</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

**SECTION 3. FREE TEXT**

This section is optional Please type your comments in the box provided below.

Please be reminded that (a) your comments will be reported anonymously and (b) your comments will be considered seriously and read by the Secretary and Deputy Secretaries.

You have two opportunities to comment on a topic. To commence, please select your first topic.
Mr Melham asked the Prime Minister, in writing, on 7 December 2005:

Further to the answer to question no 143 (Hansard, 14 March 2005, page 155 and 10 May 2005, page 118), what changes have there been since 10 May 2005 to the list of the organisations for which (a) His Excellency Major General Michael Jeffery AC CVO MC, and (b) Her Excellency Mrs Jeffery have agreed to serve as Patron or Patron-in-Chief, and when did the changes come into effect.

Mr Howard—I am advised by the Official Secretary to the Governor-General that the answer to the honourable member’s question is as follows:

The Governor-General has accepted the following patronages and other like roles during the period 10 May to 7 December 2005:

Chief Ambassador – Snowy Hydro South Care Helicopter Fund from 17 May 2005
Patron - Aviation Safety Foundation Australia from 9 June 2005
Patron – Apimondia 2007 from 11 August 2005
Patron – Australian Stock Horse Society from 11 August 2005
Patron-in-Chief – Juvenile Diabetes Research Foundation from 11 August 2005
Patron-in-Chief – Ex-Prisoner of War Association of Australia from 13 September 2005
National Patron - the Salvation Army Australia Red Shield Appeal from 26 September 2005. This is a continuation – the Governor-General was patron for the 2004 Appeal and has now agreed to be patron of the Appeal during his term as Governor-General.
Honorary Membership – Senior Golfers Society of the ACT from 18 October 2005
Personal Patron – Australian Army Training Team Vietnam Association from 19 October 2005
Patron – BBM Ltd (formally Big Brother Movement) from 23 November 2005
Patron – Special Air Services Resources Trust from 23 November 2005.

Mrs Jeffery has accepted the following patronages in the period 10 May to 7 December 2005:
Patron – ACT Lieder Society from 17 May 2005
Patron – MU Australia (Mothers’ Union) from 7 December 2005.
Governor-General

(Question No. 2803)

Mr Melham asked the Prime Minister, in writing, on 7 December 2005:

(1) What meetings of the Global Foundation have been attended by the Governor-General, His Excellency Major General Michael Jeffery AC CVO MC.

(2) When did the Governor-General agree to serve as Patron-in-Chief of the Global Foundation.

(3) Apart from a speech at a reception for the Global Foundation on 25 November 2003, has the Governor-General delivered any speeches at meetings of the Global Foundation, and, if so, will the texts of those speeches be made available on the Governor-General’s website.

Mr Howard—I am advised by the Official Secretary to the Governor-General that the answer to the honourable member’s question is as follows:

(1) None. However, the Governor-General has attended three meetings of the Global Foundation Advisory Council and hosted two receptions for Foundation members, each of which has been reported in the Vice Regal Notices.

(2) 23 September 2003.

(3) No.

Governor-General

(Question No. 2804)

Mr Melham asked the Prime Minister, in writing, on 7 December 2005:

What meetings of the Constitution Education Fund – Australia have been attended by the Governor-General, His Excellency Major General Michael Jeffery AC CVO MC.

Mr Howard—I am advised by the Official Secretary to the Governor-General that the answer to the honourable member’s question is as follows:

The Governor-General has not attended any meetings of the Constitution Education Fund – Australia.

Office of the Official Secretary to the Governor-General: Tyre Purchase

(Question No. 2814)

Mr Melham asked the Prime Minister, in writing, on 8 December 2005:

In respect of the supply to the Office of the Official Secretary to the Governor-General of rubber vehicle tyres and/or tubes to the value of $3,960.00 by Antique Tyres of 134 McEwan Road, West Heidelberg, Victoria, 3081, (a) how many rubber tyres and/or tubes were purchased, (b) what were the specifications of the tyres and/or tubes purchased, and (c) what vehicle or vehicles have been fitted with these tyres/tubes.

Mr Howard—I am advised by the Official Secretary to the Governor-General that the answer to the honourable member’s question is as follows:

(a) 4

(b) Dunlop 890-15 tyres

(c) Rolls Royce Phantom VI