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SITTING DAYS—2006

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Broadcasts of proceedings of the Parliament can be heard on the following Parliamentary and News Network radio stations, in the areas identified.

- **Canberra**: 103.9 FM
- **Sydney**: 630 AM
- **Newcastle**: 1458 AM
- **Gosford**: 98.1 FM
- **Brisbane**: 936 AM
- **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—SEVENTH 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 Barry Wayne Haase, Mr Michael John Hatton, the Hon. Duncan James Colquhoun Kerr SC, 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 JamesVaile MP
Deputy Leader—The Hon. Warren Errol Truss MP
Chief Whip—Mrs Kay Elizabeth Hull 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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<td>Bonner, Qld</td>
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<td>Wakelin, Barry Hugh</td>
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<td>Washer, Malcolm James</td>
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<td>Wilkie, Kim William</td>
<td>Swan, WA</td>
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<td>Windsor, Antony Harold Curties</td>
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<td>Wood, Jason Peter</td>
<td>La Trobe, Vic</td>
<td>LP</td>
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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  The Hon. John Winston Howard MP
Minister for Transport and Regional Services and
Deputy Prime Minister  The Hon. Mark Anthony James Vaile MP
Treasurer  The Hon. Peter Howard Costello MP
Minister for Trade  The Hon. Warren Errol Truss MP
Minister for Defence  The Hon. Dr Brendan John Nelson MP
Minister for Foreign Affairs  The Hon. Alexander John Gosse Downer MP
Minister for Health and Ageing and Leader of the
House  The Hon. Anthony John Abbott MP
Attorney-General  The Hon. Philip Maxwell Ruddock MP
Minister for Finance and Administration,  Senator the Hon. Nicholas Hugh Minchin
Leader of the Government in the Senate and
Vice-President of the Executive Council
Minister for Agriculture, Fisheries and Forestry  The Hon. Peter John McGauran MP
and Deputy Leader of the House
Minister for Immigration and Multicultural Affairs  Senator the Hon. Amanda Eloise Vanstone
Minister for Education, Science and Training and  The Hon. Julie Isabel Bishop MP
Minister Assisting the Prime Minister for
Women’s Issues
Minister for Families, Community Services and  The Hon. Malcolm Thomas Brough MP
Indigenous Affairs and Minister Assisting the
Prime Minister for Indigenous Affairs
Minister for Industry, Tourism and Resources  The Hon. Ian Elgin Macfarlane MP
Minister for Employment and Workplace  The Hon. Kevin James Andrews MP
Relations and Minister Assisting the Prime
Minister for the Public Service
Minister for Communications, Information  Senator the Hon. Helen Lloyd Coonan
Technology and the Arts and Deputy Leader of
the Government in the Senate
Minister for the Environment and Heritage  Senator the Hon. Ian Gordon Campbell

(The above ministers constitute the cabinet)
HOWARD MINISTRY—continued

Minister for Justice and Customs and Manager of Government Business in the Senate
Senator the Hon. Christopher Martin Ellison
Minister for Fisheries, Forestry and Conservation
Senator the Hon. Eric Abetz
Minister for the Arts and Sport
Senator the Hon. Charles Roderick Kemp
Minister for Human Services and Minister Assisting the Minister for Workplace Relations
The Hon. Joseph Benedict Hockey MP
Minister for Community Services
The Hon. John Kenneth Cobb MP
Minister for Revenue and Assistant Treasurer
The Hon. Peter Craig Dutton MP
Special Minister of State
The Hon. Gary Roy Nairn MP
Minister for Vocational and Technical Education and Minister Assisting the Prime Minister
The Hon. Gary Douglas Hardgrave MP
Minister for Ageing
Senator the Hon. Santo Santoro
Minister for Small Business and Tourism
The Hon. Frances Esther Bailey MP
Minister for Local Government, Territories and Roads
The Hon. James Eric Lloyd MP
Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence
The Hon. Bruce Frederick Billson MP
Parliamentary Secretary to the Minister for Finance and Administration
The Hon. Dr Sharman Nancy Stone MP
Parliamentary Secretary to the Minister for Industry, Tourism and Resources
Senator the Hon. Richard Mansell Colbeck
Parliamentary Secretary to the Minister for Health and Ageing
The Hon. Robert Charles Baldwin MP
Parliamentary Secretary to the Minister for Defence
The Hon. Christopher Maurice Pyne MP
Parliamentary Secretary to the Minister for Transport and Regional Services
Senator the Hon. John Alexander Lindsay (Sandy) Macdonald
Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs
The Hon. De-Anne Margaret Kelly MP
Parliamentary Secretary to the Prime Minister
The Hon. Andrew John Robb MP
Parliamentary Secretary to the Treasurer
The Hon. Malcolm Bligh Turnbull MP
Parliamentary Secretary to the Minister for the Environment and Heritage
The Hon. Christopher John Pearce MP
Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry
The Hon. Gregory Andrew Hunt MP
Parliamentary Secretary to the Minister for Education, Science and Training
The Hon. Sussan Penelope Ley MP
Parliamentary Secretary (Foreign Affairs)
The Hon. Patrick Francis Farmer MP
Parliamentary Secretary to the Treasurer
The Hon. Teresa Gambaro MP
### SHADOW MINISTRY

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<td>The Hon. Kim Christian Beazley MP</td>
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<tr>
<td>Deputy Leader of the Opposition and Shadow Minister for Education, Training, Science and Research</td>
<td>Jennifer Louise Macklin MP</td>
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<tr>
<td>Leader of the Opposition in the Senate, Shadow Minister for Indigenous Affairs and Shadow Minister for Family and Community Services</td>
<td>Senator Christopher Vaughan Evans</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition in the Senate and Shadow Minister for Communications and Information Technology</td>
<td>Senator Stephen Michael Conroy</td>
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<tr>
<td>Shadow Minister for Health and Manager of Opposition Business in the House</td>
<td>Julia Eileen Gillard MP</td>
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<tr>
<td>Shadow Treasurer</td>
<td>Wayne Maxwell Swan MP</td>
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<td>Shadow Attorney-General</td>
<td>Nicola Louise Roxon MP</td>
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<tr>
<td>Shadow Minister for Industry, Infrastructure and Industrial Relations</td>
<td>Stephen Francis Smith MP</td>
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<td>Shadow Minister for Foreign Affairs and Trade and Shadow Minister for International Security</td>
<td>Kevin Michael Rudd MP</td>
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<td>Shadow Minister for Defence</td>
<td>Robert Bruce McClelland MP</td>
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<td>Shadow Minister for Regional Development</td>
<td>The Hon. Simon Findlay Crean MP</td>
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<tr>
<td>Shadow Minister for Primary Industries, Resources, Forestry and Tourism</td>
<td>Martin John Ferguson MP</td>
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<td>Shadow Minister for Environment and Heritage, Shadow Minister for Water and Deputy Manager of Opposition Business in the House</td>
<td>Anthony Norman Albanese MP</td>
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<td>Shadow Minister for Housing, Shadow Minister for Urban Development and Shadow Minister for Local Government and Territories</td>
<td>Senator Kim John Carr</td>
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<tr>
<td>Shadow Minister for Public Accountability and Shadow Minister for Human Services</td>
<td>Kelvin John Thomson MP</td>
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<td>Shadow Minister for Finance</td>
<td>Lindsay James Tanner MP</td>
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<td>Shadow Minister for Superannuation and Intergenerational Finance and Shadow Minister for Banking and Financial Services</td>
<td>Senator the Hon. Nicholas John Sherry</td>
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<td>Shadow Minister for Child Care, Shadow Minister for Youth and Shadow Minister for Women</td>
<td>Tanya Joan Plibersek MP</td>
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<tr>
<td>Shadow Minister for Employment and Workforce Participation and Shadow Minister for Corporate Governance and Responsibility</td>
<td>Senator Penelope Ying Yen Wong</td>
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(The above are shadow cabinet ministers)
SHADOW MINISTRY—continued

Shadow Minister for Consumer Affairs and Shadow Minister for Population Health and Health Regulation Laurie Donald Thomas Ferguson MP
Shadow Minister for Agriculture and Fisheries Gavan Michael O’Connor MP
Shadow Assistant Treasurer, Shadow Minister for Revenue and Shadow Minister for Small Business and Competition Joel Andrew Fitzgibbon MP
Shadow Minister for Transport Senator Kerry Williams Kelso O’Brien
Shadow Minister for Sport and Recreation Senator Kate Alexandra Lundy
Shadow Minister for Homeland Security and Shadow Minister for Aviation and Transport Security The Hon. Archibald Ronald Bevis MP
Shadow Minister for Veterans’ Affairs and Shadow Special Minister of State Alan Peter Griffin MP
Shadow Minister for Defence Industry, Procurement and Personnel Senator Thomas Mark Bishop
Shadow Minister for Immigration Anthony Stephen Burke MP
Shadow Minister for Ageing, Disabilities and Carers Senator Jan Elizabeth McLucas
Shadow Minister for Justice and Customs and Manager of Opposition Business in the Senate Senator Joseph William Ludwig
Shadow Minister for Overseas Aid and Pacific Island Affairs Robert Charles Grant Sercombe MP
Shadow Minister for Citizenship and Multicultural Affairs Senator Annette Hurley
Shadow Parliamentary Secretary for Reconciliation and the Arts Peter Robert Garrett MP
Shadow Parliamentary Secretary to the Leader of the Opposition John Paul Murphy MP
Shadow Parliamentary Secretary for Defence and Veterans’ Affairs The Hon. Graham John Edwards MP
Shadow Parliamentary Secretary for Education Kirsten Fiona Livermore MP
Shadow Parliamentary Secretary for Environment and Heritage Jennie George MP
Shadow Parliamentary Secretary for Industry, Infrastructure and Industrial Relations Bernard Fernando Ripoll MP
Shadow Parliamentary Secretary for Immigration Ann Kathleen Corcoran MP
Shadow Parliamentary Secretary for Treasury Catherine Fiona King MP
Shadow Parliamentary Secretary for Science and Water Senator Ursula Mary Stephens
Shadow Parliamentary Secretary for Northern Australia and Indigenous Affairs The Hon. Warren Edward Snowdon MP
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Tuesday, 31 October 2006

The SPEAKER (Hon. David Hawker) took the chair at 12.30 pm and read prayers.

PRIVILEGE

The SPEAKER (12.31 pm)—On 19 October 2006, the member for Swan raised a matter of privilege relating to the apparent cancellation of an invitation to him to attend the official launch of a Green Corps project in his electorate. The honourable member claims that the cancellation of the invitation amounted to a grave interference in the free performance of his duties as a member.

An act or omission which obstructs or impedes members in the discharge of their duties as members can be regarded as a contempt. Whether such findings are made depends on the circumstances of each case. I note that the member’s attendance at the event in question was by a foreshadowed invitation and that the initial message was subsequently withdrawn.

The attendance of members at the launch of Green Corps programs in their electorates does not seem to be an essential part of members’ duties and hence attendance is by invitation, just as members may or may not be invited to other events within their electorates. Thus the cancellation of the invitation, while very regrettable for the honourable member, does not seem to constitute an improper interference in the member’s performance of his duties as a member. To constitute a contempt, interference has to be improper, and it is not clear to me that there is evidence of impropriety in this case.

Consequently, and while I understand the honourable member’s irritation about the matter, I do not propose to give precedence to a motion to refer it to the House of Representatives Standing Committee of Privileges. I also remind members that matters of privilege should be raised at the first opportunity.

I believe the honourable member spoke on this matter in the Main Committee on the previous day.

AUSTRALIAN CITIZENSHIP BILL 2005

Cognate bill:

AUSTRALIAN CITIZENSHIP (TRANSITIONALS AND CONSEQUENTIALS) BILL 2005

Second Reading

Debate resumed from 9 November 2005, on motion by Mr McGauran:

That this bill be now read a second time.

Mr BURKE (Watson) (12.33 pm)—The Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005 deal with a number of issues, some of which are not controversial, some of which are very much welcome and some of which, given some recent government amendments, raise deep concerns. The bills were first proposed following the London bombings. When they were introduced to this House, COAG had met and had made a number of statements concerning what I think amounted to a 10-point plan of different antiterrorism measures which the leaders of the governments around Australia, having received the best available intelligence, decided were all issues which the parliaments at state and federal level should enact.

One of those points was to move the time delay for citizenship from two years to three years. Time delay on citizenship is always going to be an issue of balance. There are two competing concerns, both of which matter. The first concern is that citizenship is a way of integrating people into our society, making sure that they do not feel estranged and that at every level they feel part of the Australian community. It is also something that, once confirmed, is a permanent decision.
that Australia has made and therefore something that we do not want to take lightly.

Having received the best available intelligence at a time of genuine international concern on security, the governments of Australia, including the one represented here and all the state and territory governments, agreed that one of the things that should happen was that the delay for citizenship should be moved from two years to three years. In that context, Labor announced that we would support that change. Two things have happened since then. More than a year passed since this bill went on the Notice Paper before the government bothered to find time to debate it. This is something that was held up in the context of the London bombings as being an important piece of legislation and as being relevant to our national security. It was so important to move the citizenship delay from two years to three years that we have waited more than a year to implement it. Anybody who only had two years of residence in Australia, at the time that we were told this was a national security issue, now has three years anyway. For anybody who only had two years of residence in Australia, at the time that we were told this was a national security issue, now has three years anyway. For anybody who was in the situation that the governments of Australia decided was worth pursuing, because of whom the governments thought that as a national security measure we had to go from a two-year delay to a three-year delay, we have delayed the bill anyway.

So, in the context of one of the most frightening international events that we saw in London last year, the government put it on the list. People were sceptical. Some people were sceptical as to whether or not this genuinely was a national security issue but, notwithstanding that, when all the governments of Australia agreed in that context—and it is a matter of balance—Labor was willing to support that bill. In that time, when the government said this was something that had to be done but could not be bothered doing it, 117,000 people have been granted citizenship. I do not know how many of those people would have been caught by the two-year to three-year change—I suspect the government does not know how many people would have been caught by the two-year to three-year change—but, notwithstanding that, it was something that we were told was significant to our national security, it was important enough to put in the 10-point plan and it was important enough to put in the list of things that need to be done; it just was not important enough to do.

Now, a year later, the government has put in an amendment to that bill. An amendment was brought into the House, as I understand it, by the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs, who is sitting opposite, the member for Goldstein. That amendment says: ‘Let’s not go to three years; let’s go to four. Let’s make the change to the delay before somebody can become a citizen—a delay of four years.’ I would love to know how something that was a national security issue, where the government was determined to get the balance just right in a meeting of the leaders of all the governments in Australia, then finds itself being introduced to the Commonwealth Parliament of Australia, with a change to that balance from three to four years, not on the advice of the best intelligence available to Australia, not on the advice of a COAG meeting of the leaders of all the governments of Australia, but because a parliamentary secretary reckons it is a good idea. I would love to know—and, curiously enough, none of this has been reported so far—exactly what intelligence briefings were made available to the parliamentary secretary to change part of that 10-point plan. I would love to know—and the parliamentary secretary has made none of these reasons available publicly—why it is that the premiers and the Prime Minister got it wrong a year ago or, if
they got it right, whether there is now new intelligence that says the balance should be set somewhere differently.

Was the real reason this amendment was introduced to move it to four years that the government were frustrated that Labor had agreed to three years and they wanted to push that a little bit further until Labor said, ‘Hang on, we cannot support that’? If the latter is what the government are doing—and I suspect it is—then they got their win because we will not go beyond what was nationally agreed to as the right balance in a national security context. We will not agree to four years. If the plan was to get the Labor Party in a position where they were just pushing us too far, they got it. But make no mistake: the reason they had the agreement of three years, and the reason they will not get an agreement from this side of the House in delaying citizenship to four years, is that national security is too important. We are not going to have a situation where you get the most detailed briefing being given to the leaders of all the governments of Australia, where they agree as to where the balance should be struck, and then a parliamentary secretary wanders in and says, ‘Hey, I have a different idea; let’s whack it in.’

I have no doubt that the government has been planning these sorts of changes to a political end for some time. Just before the change was moved to three years, a citizenship ad campaign started to run very suddenly, with a tag-line which I cannot remember seeing previously. It might have been there previously, but I cannot remember seeing it. For years Australian governments of both sides of politics have tried to encourage people to become citizens, but the tag-line at the end of the TV ad changed and became ‘Australian citizenship: it’s never been easier.’ I mentioned to some people up in the press gallery at the time that there was no doubt that the government was about to try to make Australian citizenship harder to attain. That was the only reason to have that tag-line in the TV commercial.

Mr Cadman—And you object to that?

Mr BURKE—Sure enough, the change came, but it came in a context. I say to the member for Mitchell, when he asks if we object to that, it came in a context where we were willing to accept it and accept it absolutely. That was in the context of an agreement on national security. If the national security recommendation from all the governments of Australia after a national security briefing had been for four years, then I suspect we would be in a different situation to that which we are in today. But we are in a situation today where we had an agreement that three years was the right balance. That was promoted by the Prime Minister as part of our response to making sure Australia is safe following the London bombings.

Mr Farmer—Why is it the right balance?

Mr BURKE—We have from the Parliamentary Secretary to the Minister for Education, Science and Training at the table, ‘Why is it the right balance?’ I was not at that national security briefing—it was the premiers and the Prime Minister—but the person moving this amendment was not there either. On being provided with the best intelligence available, they said that was the right balance. There are times on national security issues when the people who have been given the expert briefings make a call and you look at it and, to the best extent that you are able to exercise your judgement, you go with the call that has been made in the face of the best intelligence. But the intelligence that has moved this amendment has had nothing to do with ASIO briefings, as far as I know, because I am sure that if it was to do with ASIO briefings they would have bothered to revisit the meeting with the premiers and the Prime Minister. I fail to believe—maybe I
just have not worked out how this government operate—that even this government would reserve their most informed, high-security intelligence briefings for the parliamentary secretary who has responsibility for citizenship. I find it hard to believe that he would get the information but the premiers and the Prime Minister would not. I find that difficult to believe. If that is how it now operates, then that is a fascinating development in governance in this nation.

When Labor agreed for this bill to be passed off to the Main Committee, we did so in the context that it was noncontroversial, that we were in agreement with the government on these issues and that there were some minor amendments that we would be putting forward. We have a situation now where we will honour the agreement that we previously gave about it going to the Main Committee, but this agreement never would have been given had we known at the time that the government intended to abandon the information that had previously been agreed on nationally—and that is what we are faced with here.

There is much in this bill that is good, and that is why, even though I suspect we will lose in the vote as to whether or not it goes to four years, we will support the bill in its final form. One of the things is that we have a changing concept of how the residency requirements are viewed—and this was something that was discussed in estimates yesterday. Previously, determining length of stay in Australia for eligibility for citizenship would begin at the time you became a permanent resident. Given the number of people who find themselves on temporary visas but well and truly integrated into Australia, the government is now offering a higher level of flexibility in taking those periods into account. On the face of it, that appears to be a sensible move.

We also have some major changes which particularly affect the Maltese community. They are not specific and exclusive to the Maltese community, but there are statelessness issues that I know both the member for Gorton and the member for Prospect will be going into in some detail, where people of Maltese origin who renounced their Australian citizenship—where they were forced to under some previous situations that affect quite specifically this situation—were deemed to have retained their rights to Maltese citizenship rather than having acquired a foreign citizenship. In March 2005, the Senate Legal and Constitutional References Committee stated that Australian citizenship needed to be more inclusive and that children of people who renounce their citizenship under section 18 should also find themselves eligible for Australian citizenship. The government is going some way to fixing many of these problems. An amendment in detail has been circulated, I understand, which addresses the problem for some of the people caught by the situation affecting the Maltese community. Labor will be moving an amendment which I hope will be acceptable to the government. Labor will also move a second reading amendment, which I will do at the end of my remarks. The Maltese group are by far the largest to be affected by the section 18 rule, but there will also be some from other countries—for example, people from the United States have also found themselves to be affected.

A discussion paper has been put out by the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs on a number of issues relating to citizenship. The discussion paper itself does not refer specifically to the four-year change. The four-year change is something that was heralded at the same time as the discussion paper went out, and I have no doubt that the shift to four years is being covered in many of the sub-
missions that are being made following that discussion paper. Sadly, any of that level of consultation proves irrelevant, because the government were able to wait more than a year to implement COAG recommendations but they were not able to wait until the end of their own consultation period to determine whether or not to ignore the security advice and security determinations and go for the shift all the way to four years.

In the context of some of the issues in that discussion paper, a lot has been said about the English language and the importance of people learning it. I would find the government’s conviction on this far more credible if the Howard government had not slashed funds from its migrant English language program, which was revealed in estimates to be to the tune of $10.8 million. When you look at adult English services, which is a significant area for adult migrant English programs, you will find cuts to English language training at the same time as there are massive increases in the number of people seeking and requiring those programs, which makes the government’s commitment to English language seem far more tokenistic than I think people on each side of politics would wish.

From what is currently circulated, it appears that an earlier draft is no longer there. If it is no longer there, I am pleased. I saw an earlier draft of the second set of amendments, the transitional amendments concerning stateless people, but it does not appear to be the version that is now in the House. Given that the government has changed this legislation a number of times, I will refer to the draft now just in case it re-emerges after my speech. The government were intending to have a category of stateless people. The minister would not even have a discretion to allow an applicant to become an Australian citizen, depending on whether or not the applicant had been imprisoned for a period of time under the law of a foreign country. When I saw that amendment I thought it was one of the more extraordinary suggestions I had ever seen from the government. That is not a bad benchmark; there have been a few out there.

But to actually see the government, in amendments that appear to have been withdrawn, put forward that the law of another country and whether or not somebody had been imprisoned by another country would provide a bar on them ever receiving Australian citizenship is, I have to say, deeply offensive. If there is anything that the laws of other countries should not go near and not have any bar on it is Australian citizenship. If we do not own this one, what is the point? The government believes in outsourcing a whole lot of areas, but I do not reckon that we ought to outsource Australian citizenship to some of the worst regimes in the world. Yet we were to have a situation where somebody could have been imprisoned by Saddam Hussein, could come here and apply for Australian citizenship and, depending on the sentence Saddam Hussein had given them, find they were to be barred from Australian citizenship. As I say, that was in an earlier draft. I have asked the clerks for the latest draft circulated in the chamber, and I have been unable to find those sections. I have to say that I really hope those amendments are gone.

Mr Bevis—I am surprised.

Mr BURKE—I certainly hope that we do not see those provisions for stateless persons being introduced at any time. I do not want to see a situation where the law of another country has any bearing whatsoever on Australian citizenship.

We find ourselves supporting the bill. We are not going to be in a situation where we are going to say no to the Maltese community, which has been campaigning for a very
long time for a better deal. We think the government can go one step better again and act favourably by supporting the amendment I have foreshadowed. I hope that the government will take that extra step. We believe Australian citizenship is extraordinarily important. We want to make sure we get the balance right and that Australian citizenship is valued for the important step that it is. Rather than seeing citizenship as something to unite, I do not want to see legislation such as this ever being used as some sort of political wedge. If the change to four years had come out of the COAG process, I may have been sceptical about it but Labor would have looked very seriously at whether or not, in the face of the best intelligence, it was a case of getting the balance right. That is where I believe the intelligence on the balance ought to come from. It ought to come from briefings from ASIO, not from briefings from Mark Textor.

Mr Cadman—They’re not in this House.

Mr BURKE—I am not sure whether the member for Mitchell was saying that ASIO is not in this House or that Mark Textor is not in this House. I suspect they are both here very regularly. ASIO is very welcome to provide briefings, information and the best intelligence available, and it should do so. When we get all the governments of Australia agreeing on a recommendation as to where the balance is right, departure from that is a big step and something you do not do lightly. You do not change the balance of national security arrangements simply because some polling or some political edges say it might be a clever thing to do. That is exactly what we are faced with with these amendments. That is why Labor will not support the amendment that changes the period from three years to four years. Eligibility rules and criteria for Australian citizenship are important issues which we argue for in this House.

I might say that Australia has not always been so tight on citizenship. We used not do it as well as we do it now. My seat, the seat of Watson, is named after somebody who was not a citizen. The third Prime Minister of Australia, while we know him in the official records as John Christian Watson, was actually Johan Christian Tanck. He gave a false identity. He was not a citizen of the empire, which you had to be in order to vote. Instead, he gave a false identity which allowed him to vote, to run for parliament and to become Prime Minister. Citizenship then was not done nearly as well as it is done now. While I am pleased that we did have the first Labor Prime Minister in the world, I am sorry that there was a fudging of citizenship at the time to do it. I might add that, had it not happened that way, because his father was German Mr Tanck would have been locked up during the First World War. We deal with citizenship very seriously these days, as we should. Citizenship is part of the essential fabric that makes our nation. It is part of the essential fabric that welcomes people. Those of us who regard this as being the best country in the world know that citizenship rules go with responsibilities and rights in being a part of that important and essential community. It is too important to play games with.

If there is an argument that the premiers and the Prime Minister got it wrong after the London bombings, I want to hear it. If there is an argument that updated security advice says that the 10-point plan that came out of COAG should be changed, I want it to be taken to COAG. What I do not want to see is an appalling display—as though there is a passionate difference between three years and four years and that is enough to abrogate what was clearly a decision taken in a national security context. I am pretty confident that I know where the briefings came from and I am pretty confident that you are more
likely to find the director of Crosby Textor than you are to find a director of ASIO behind those briefings. That is not the way to deal with Australian citizenship. I want to see citizenship valued; I want to see it held up. I want to see it as something that people really take notice of. I do not want to see it used as a political game.

I suspect we could have avoided a political game if Labor had simply said that we were not going to support the change to three years. But once the government got a shock and thought, ‘Oh, they’re going to vote for it,’ what did they do? First, they waited. They waited more than 12 months to render the original change, which had been called for in a national security context, almost irrelevant. They said: ‘There have been bombings in London. These are the points that we need to change. Here’s one of them.’ It was not the most important one—I think we all agree with that—and it was not the most urgent one, but surely it was important enough to bother bringing the legislation on for debate. Yet the change from two to three years was so urgent, so important, that more than a year later it has not been voted on in either house of the Australian parliament. So then we get the change to four years. No context and no reasons were given. If the change from two to three years was important, the legislation should have been brought on immediately. Instead, when the government realised they did not have the political wedge that they were hoping for, they turned a blind eye to something that they had proclaimed as an important national security change.

I want to know from someone in the government why this legislation has been lying on the backburner for more than a year. Why go to all the trouble of getting the public servants to draft the legislation and put it together to fix some important problems affecting some communities in Australia and have an amendment which is also featured in our national security priorities to then say, ‘This legislation will be debated the week after next?’ It has been listed for the week after next for more than a year. It does not get brought on for debate until the government comes up with an amendment that Labor will not support.

National security is too important; Australian citizenship is too important. The way that the government has handled this undermines the original reasons that were given for it to be introduced. The way that the government is now seeking to amend it undermines the justifications that were given. Labor will not support an amendment that devalues Australian citizenship. Labor will not support an amendment that ignores changes that were given and agreed to by the leaders of every government in this country in a very specific and particular context following the London bombings.

The government might think that it is fun to play games with those issues but we do not and will not. Had we known at the time we agreed to send the debate to the Main Committee instead of this chamber that this amendment was going to be there, we would have looked at it quite differently. Unlike the government’s attitude to COAG, we view an agreement as an agreement and therefore will continue to allow and not object to it going to the Main Committee. But the government should make no mistake: we oppose the change from three to four years. We will not see a national security agreement undermined because the former national secretary of the Liberal Party thinks there is a political edge in doing so. I hope that the final form of the bill is as it is now, with our amendment, and not in the form that the government proposes. 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:
(1) opposes the increase in residence requirement to 4 years;
(2) notes that the Government consulted with the Council of Australian Governments (COAG) on increasing the period from 2 to 3 years on national security grounds but undertook no consultation on the increase to 4 years and has given no adequate reason for this measure;
(3) opposes the discriminatory treatment of people who lost their Australian citizenship under section 17 of the old Act (acquisition of citizenship of another country) and those who lost citizenship under section 18 (renouncing of citizenship) given that it fails to provide equitable treatment for a number of groups, but particularly the Maltese community; and
(4) notes that a stateless person would be denied citizenship if convicted for an offence of greater than 5 years even if it were a trumped up conviction under a brutal and oppressive foreign regime”.

I would like to commend the bill in its full form to the House. It is not all bad; there is enough in there that we will make sure we support it in whatever its final form is, but I certainly hope its final form does the right thing by the Maltese community and that the bill in its final form does not undermine the national security agreements of last year.

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

Mr Bevis—I second the amendment and reserve my right to speak.

Mr BROADBENT (McMillan) (1.03 pm)—I rise in the House today in support of the Australian Citizenship Bill 2005 and Australian Citizenship (Transitionals and Consequentials) Bill 2005 and the Howard government’s commitment to bringing the 55-year-old Australian Citizenship Act into line with the reality of modern Australia. Australia is a nation enriched and strengthened by our cultural diversity, a result of successive waves of migrants to our shores. Since 1945, we have welcomed more than six million immigrants to help build the nation we enjoy today. I want to speak on this legislation because of the importance I place on citizenship. This is born out of my own life experiences and those migrant families that have had an influence on my own life.

What I see in the eyes of Vince Madafferi is the depth and breadth of more than four generations of the Italian-Australian tradition. I see oceans of respect for family traditions and for one another, especially for children. I see the love of a patriarch that transcends immediate family and generosity without bounds. I see eyes that mirror a love of country and the benefits his family has bestowed and received. His eyes betray the years of hard physical labour for goals set and met and a life fully lived, exposing the heart of his community and, in turn, soaking up all he surveys with simple, quiet and unsullied pride.

Yes, I see in the eyes of the father the future of the sons and their sons—the eyes of his father, Antonio Madafferi, who, with vision and bravado, launched his family on a new frontier: Australia, the great south land. I see in Vincent’s eyes good soil, rich and fertile, and the planting of a nation ready to flourish in our multicultural landscape. In his eyes I see my life too, moulded by the Venturas, the Todaros, the Adonis, the Di Pietros, the Bombacis, the Bucellos, the Luginos and the Lamattinas to name a few, and, most recently, the Priscilla Ruffolos of this world, the Thomas Lammanas and the Joe Mirabellas. I see in Vince Madafferi’s eyes a world enriched for his being.

Attending the Italian Chamber of Commerce dinner on Friday, I saw the embodiment of a migrant success story that has been repeated across Australia. The industriousness of these groups is legendary. There was an Italian family that had a small vegetable
patch in their yard behind our shop and it was the envy of the neighbourhood. My mother remarked jokingly, ‘If we’re not careful they will end up buying all of our farms in the district.’ So what happened? They eventually bought a farm. And then what happened? They bought the farm next door and the one next door to that. But far from posing a threat to our farming community, these industrious Italian families enriched it. As in other walks of life, they used the often basic skills they brought with them to grasp opportunities that we native-born Australians often failed to see or simply lacked the drive to take advantage of.

And these success stories extended beyond the Italian community, which was perhaps the most visible because of their numbers, particularly in my area. The opportunities offered by a welcoming Australia were embraced by all migrant groups at every level. Their success stories range from the most humble to the most exalted, from the small family businesses to the largest corporations in Australia, some of them now global operations. They include people like Frank Lowy, a native of the former Czechoslovakia, who came to Australia as a 12-year-old and now heads the Westfield property empire, and Polish born Richard Pratt, who came to Australia aged four and is now one of Australia’s leading businessmen and philanthropists.

But the achievement of migrant Australians is not limited to business. Sir Gustav Nossal achieved greatness as an immunologist at the Walter and Eliza Hall Institute in Melbourne and was named Australian of the Year in 2000. The Victorian Governor, Professor David de Kretser, also had a distinguished career in medicine and research before his appointment earlier this year.

The one thing common to all of their stories is the way in which they embraced their Australian citizenship and made it central to their success while maintaining their links with their cultural heritage. It is the threads of these cultural ties, woven as they are into a vast tapestry, that make up the cosmopolitan community Australia has become. As our national anthem says in the second verse:

For those who’ve come across the seas We’ve boundless plains to share; With courage let us all combine To Advance Australia Fair.

As a people, we come from around 200 countries of origin. Yet, despite our linguistic, cultural and religious diversity, and with 22 per cent of us born overseas, we have worked hard to maintain our strong sense of national unity. As foreign conflicts divide the world, our community seems to have a renewed sense of common purpose, which brings us closer. One key to national unity is citizenship, a glue holding our culturally diverse society more closely together.

Successfully managing our diversity means emphasising the unity we have, and we do this through public citizenship ceremonies. As I move around my electorate of McMillan in Gippsland and attend these citizenship ceremonies, I am humbled by the enormous sense of pride and sense of belonging the candidates for citizenship display. The Australian citizenship pledge is about loyalty to Australia, its people and its democratic traditions; respect for each other’s rights and liberties; and a promise to uphold and obey our laws. It is about responsibilities as well as the benefits of belonging.

The Australian Citizenship Act 1948—originally titled the Nationality and Citizenship Act 1948—was proclaimed to commence operation from 26 January 1949. The introduction of the 1948 act took place in the context of establishing Australian citizenship for the first time, while maintaining the status of ‘British subject’ for Australians. In the intervening 57 years the concepts of Aus-
Australian nationality and citizenship have greatly evolved, and the 1948 act has been amended 36 times. The Citizenship Bill makes a sensible restructuring of the 1948 act in line with recommendations of the Joint Standing Committee on Migration in 1994, the Australian Citizenship Council in 2000 and the 2005 Senate committee inquiry into Australian expatriates.

Our diversity is one of our greatest strengths. The Australian government, the Howard government, is working with communities to harness this strength to the benefit of all. It is developing innovative policies and programs. This bill will provide a passage for the Australian Citizenship Act 2005 and Australian Citizenship (Transitionals and Consequentials) Act 2005 to be a part of that innovation. Australian Citizenship is the cornerstone of our society and the bond which unites us as a nation. Australian citizenship is the passport to membership of the Australian family.

Mr BRENDAN O’CONNOR (Gorton) (1.12 pm)—I rise to support the Australian Citizenship Bill 2005 and cognate legislation and also the amendment moved by the member for Watson. These are very important bills and amend a very important act, because this is a country of migrants. This country was developed and built by the blood, sweat and tears of migrants. It is fitting, then, that this chamber consider the way in which we should amend the laws to ensure that they are relevant to today. As the member for Watson indicated, we do support, in the main, the thrust of the bills—and did so more than 12 months ago, when we sought amendments to ensure that the law was relevant to today’s circumstances.

I listened to the member for McMillan. In the main, can I indicate that I support the sentiments that he made with respect to his own association with migrants and his reference to those successful migrants. But I think it is also important to note that not everyone is going to be a Lowy or a Pratt; they are not going to be very wealthy, successful migrants—but they will nonetheless be successful in their lives. As the member for McMillan indicated, he knows people, and certainly I know people, who are successful migrants—and I count my parents, who managed to find a place here for themselves, their children and their grandchildren. I therefore have some understanding of the importance of becoming a member of a very significant club: the Australian citizenry.

I have a number of concerns about the Australian Citizenship Bill, which have certainly been attended to in the member for Watson’s amendment. I associate myself with the comments made by the member for Watson when he questioned why the government has chosen to extend from two years to three years—and now to four years—the period of time a person must reside in Australia before they are eligible to become an Australian citizen. As the member for Watson indicated, the Australian Labor Party’s acceptance of the extension of the eligibility period for Australian citizenship had much to do with the national security discussions held at COAG, in which information provided by our intelligence agencies indicated that we have to consider, among other things, the way we admit people to our citizenry. But there has been no further explanation by the government, the minister or the parliamentary secretary as to why three years is no longer acceptable and people will now have to wait four years.

I can assure the government and the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs, who is now in the chamber, that this will affect community members in my electorate and, I am sure, in all electorates across the land. As the member for Watson made clear, the long...
time it can take to become a citizen creates tension for people who want to make this country their home. If we extend the eligibility period too far, it sends a message that we do not welcome people after a significant period of residence in this country. So that extra year is significant. While both sides of the chamber supported the move from two years to three years, to actually double the eligibility period from two years to four years seems to be an onerous requirement on the overwhelming majority of people who come to live here. Labor do not support the government’s view that the eligibility period should be further extended, nor have we heard any reason why we should support a further extension. This would seem to exclude and turn away too many people who have already made this country their home. I do not think it is a very good idea. I think the parliamentary secretary and the government should reconsider this proposition.

I would like to comment on the provision in the bill that would prevent the minister from approving a person becoming an Australian citizen if the person ‘has been convicted of an offence against an Australian or foreign law for which the person has been sentenced to a period of imprisonment of at least five years’. I do not think we should accept in all circumstances that a person’s having been convicted and sentenced for five years under a foreign law should prevent the minister from determining whether that person is eligible to become an Australian citizen. I can think of a number of examples where people who have been unfairly imprisoned by a sovereign state—not Australia but another country—would be caught by this provision. Nelson Mandela was imprisoned for more than 20 years pursuant to a decision by a sovereign nation. I do not think we would not want Nelson Mandela to become an Australian citizen if he so wished. The government should consider the way in which this provision may prevent people who have been unfairly charged, convicted and imprisoned by certain states—because of the nature of the regime in that state—from becoming Australian citizens. I ask the government to reconsider that provision.

I have been waiting a very long time for this bill to be introduced into the parliament. Many of the proposed changes are well overdue and address inconsistencies in the law that really should have been fixed earlier. As I have indicated, there are still some problems with the bill. Hopefully, the government will accept the amendments that Labor has proposed, because they are sensible and fair and will only strengthen the bill. The most significant and urgent changes that this bill introduces are those relating to section 29, which deals with new provisions for resuming citizenship. The changes are significant because they end an anomaly whereby those who renounced their Australian citizenship in order to retain another citizenship were treated differently from those who renounced their Australian citizenship in order to acquire another citizenship.

The 2002 amendments to the act abolished the automatic loss of citizenship under section 17. Prior to these amendments, anyone who acquired the citizenship of another country automatically lost their Australian citizenship. This would typically apply to those Australians who moved to other countries, such as the United States, for the purposes of work and were required to take out citizenship of that country for their employment. Even if the other country permitted dual citizenship, under the 2002 act, pursuant to section 17, these people automatically lost their Australian citizenship. Section 23AA of the current act allows people in this situation to resume their citizenship provided that certain criteria exist regarding residency and character assessments. This contrasts with
section 23AB of the act, which deals with those who renounced their citizenship in order to retain the citizenship of another country.

The single largest group of people affected by this law are the large number of Maltese Australians in our community. Many Maltese immigrants have come to Australia since the end of World War II. After many years of living in Australia, many returned to Malta with their Australian-born children. When these children reached 19 years of age, they were required, under Maltese law, to renounce their Australian citizenship in order to keep their Maltese citizenship. However, section 23AB requires that, apart from meeting similar criteria with regard to previous residency and to character, those who renounced their citizenship, in order to retain another citizenship, and wish to resume their citizenship must also be under the age of 25. Clearly, this is an anomaly.

There are currently two categories of Australian-born people wishing to resume their citizenship, with different rights. One group has its applications accepted, the other rejected. As the Malta Cross Group, in its submission to the Senate committee of inquiry into Australian expatriates, said:

It is indeed even more anomalous when you think that those Australian-born Citizens, undoubtedly of a more mature age, who freely chose to ‘acquire’ the citizenship of another country, can apply to resume their birth-right under Section 23AA but those Maltese who had no choice, cannot!

This anomaly was first brought to my attention when Steve and Lilian Schembri approached my office in December 2003, almost three years ago, seeking help. Steve was born in Melbourne in 1966 to Maltese immigrant parents. He was brought up in St Albans and spent his first 18 years there. He went to school at St Albans Tech and he barracks for the Western Bulldogs. In 1984, when he was 18, his parents decided to move back to Malta. At about the same time, his future wife, Lilian, who had been born and brought up in Australia, also moved back to Malta with her parents. Maltese law prior to 2000 required young people of Maltese descent to renounce their Australian citizenship between their 18th and 19th birthdays in order to retain their Maltese citizenship. Those failing to do so became ineligible for free tertiary education in Malta and were unable to hold certain jobs, access social security benefits or purchase property without approval.

In 2002, when Steve and Lilian decided that they wanted to return to Australia, Steve applied in Malta for a former resident migration visa (AR) at a cost of approximately $1,500 and waited 10 months for a response. Unfortunately, the application was rejected due to a condition that prevented former citizens from being granted this visa. Ironically, if Steve had not previously been an Australian citizen he would have been granted the visa. Steve, Lilian and their family of three children then came to Australia on visitor visas and applied for resumption of citizenship, only to discover that the under 25 years of age clause excluded them. In November 2003, Steve approached our office for assistance. In February 2004, Steve lodged his application for a general skilled migration visa, at a cost of $1,800. Whilst that was being processed, Steve was placed on a bridging visa which gave him no work rights and no access to Medicare or Centrelink.

Given the involvement that I have had with Steve, our office has been working to ensure that government policy is fixed so that this anomaly is fixed. Indeed, the policy that Labor took to the 2004 election would remove this anomaly. In March 2004, I submitted questions on notice to the then minister for citizenship, Gary Hardgrave, asking him why the law discriminated against those
over 25 years of age. In May 2004, I addressed the House, pointing out the absurdity of denying citizenship to someone who was born and raised in Australia. In July 2004, Minister Hardgrave made a speech admitting that the government needed to fix this anomaly.

So in July 2004 the minister accepted that this anomaly was unfair—2½ years ago. In the meantime, people like the Schembris suffered. In November 2004, nine months after applying for a general skilled migration visa, Steve’s application was rejected because he did not meet the work experience requirements of ‘12 months work in the past 18 months’. Steve had been a plasterer since July 1988, but he did not qualify for the visa because he had been waiting in Australia since 2003 without working—because he was not allowed to work!

Steve got a fair bit of publicity over his plight, with the Herald Sun editorial of 10 November 2004 describing the plight of the Schembri family as ‘an example of appalling bureaucratic inflexibility and legislative absurdity’. It called on Immigration Minister Vanstone to:

... treat the Schembri affair for what it is—arrant nonsense. The family must be allowed to stay.

In November 2004, I asked the new minister, Mr McGauran, whether the government intended to honour the commitment made by the previous minister. In March 2005, I once again raised the issue in the House and asked the minister when the changes were anticipated. Finally, in April last year Steve Schembri was granted a sponsored skilled migration visa, allowing him to work. However, he does not get access to Medicare and is required to pay in excess of $300 per month in private health insurance. In June 2005, I asked the minister again when the government intended to put a bill before parliament.

The 2½-year delay to get to this point has been very disappointing. It took until November 2005 before the government could draft a bill to present to parliament and then a staggering 11 months between the introduction of the bill and the current debate. This is appalling. Work Choices legislation is rammed through this chamber without allowing members to even debate the merits of the legislation. But if it is a bill whose substantive provisions have in the main unanimous support across the chamber, the government cannot even get the bill into the chamber for debate and to have the bill enacted.

That shows you the failure of this government. The fact that it is out of touch with people who are hurting and the fact that it is not even able to cope with the ordinary business of legislation shows you how this government is failing people like Steve and Lilian Schembri. I am not surprised that the Herald Sun chose to write so strongly in opposition to the government’s inaction with respect to this matter. The passage of this bill cannot happen quickly enough for the Schembris, for the hundreds of other Maltese Australians in similar circumstances and for the many others still in Malta and unable to come here because they are in the same position as the Schembris.

While we are happy that the government with this bill has chosen to remove the anomaly that exists between those who renounced their citizenship in order to acquire and those who renounced in order to obtain—that is, sections 17 and 18—the government has stopped short of removing all anomalies by treating the children of these two categories differently. While children born before their parents renounced their Australian citizenship will be entitled to resume citizenship once again, there is no provision in the bill for those born after. It is not difficult to see the potential difficulties this will cause in situations where some children
qualify for resumption of citizenship while their siblings do not. Steve and Lilian Schembri have three children, aged seven, 13 and 15. All three were born in Malta after Steve and Lilian had renounced their citizenship. The children currently attend the local school in Kings Park in my electorate. Under this bill they do not automatically become citizens at the same time as their parents do. They will have to apply for citizenship outside of policy guidelines, which is discretionary rather than automatic. That is why Labor has proposed the amendment.

So I do implore the government and, in particular, the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs to ensure that the anomaly that has been remedied by the bill does not continue to affect the children. I am not suggesting that they cannot ultimately become citizens, but it seems to me a little strange that parents can become citizens automatically after this bill is enacted but their children cannot. I therefore ask the government to consider the proposed amendment by Labor in all respects but, indeed, for the people I know, the Schembri family and families like them, and for the children who have been left out of the proposals that are incorporated in this bill.

Mr CADMAN (Mitchell) (1.32 pm)—The Labor Party’s record in citizenship, as in migration, is absolutely appalling. If any group in Australia deserves condemnation for the way in which they have used both immigration and citizenship laws to play political games and to favour certain groups of people, it would have to be the Australian Labor Party. In 1984 the Australian Citizenship Act was destroyed by the Australian Labor Party taking out all substance of commitment to Australia.

Opposition members interjecting—

Mr CADMAN—You may laugh and giggle, but the results of what is happening in Australia today can be sheeted back to the lack of commitment to this nation and to what citizenship stands for by the Australian Labor Party. Following the reduction in 1986 of the commitment in the oath, the reduction in time available to people to understand our nation—to fully understand the character of Australians before making that final step of citizenship and to understand all those processes—people have the right, under the Australian Labor Party’s proposals, to claim citizenship, though it is not fully understood, not fully expressed at citizenship ceremonies and not fully explained to them. So we are reaping the results of that problem today across Australia. Cronulla was not an accident; Cronulla was a process whereby a group of people failed to understand their commitment and responsibilities and the privileges of being Australian. It is time to resolve those problems, to fix them up and to establish a proper appreciation in the Australian people and in those who want to come here of what it is to be an Aussie.

The Australian people can give no more important or significant gift to somebody coming here than the gift of citizenship. We give them absolute and complete rights. It is true that many of the privileges of citizenship can be gained by permanent residency, but that is a permission only; it is not a right. Citizenship imposes rights and provides privileges to people which cannot be taken away except in the most extreme circumstances. Permanent residency only grants permission, and that can be removed at any time.

I have looked at the character, the identity and the political and legal status of Australians, and they are unique, because our character is one of inclusiveness and fairness. We talk about Australian values, which I believe are different from those of any other nation on earth. They are values which form the Australian character and which are some-
thing Australians hold dear. If there are people invited to this land who do not want to accept those characteristics that make up the Australian character, then most Aussies would feel they need to find some place other than Australia in which to live. Our inheritance, our character, our history, the fact that we can support the underdog, the fact that we can take on incredible challenges and come through, and the fact that we can punch above our weight in a range of medical, scientific, arts, sporting, business and other endeavours is part of the Australian identity. But there is a political and legal status granted to a citizen which I explained briefly when I mentioned the rights of citizenship.

The rights of citizenship I will discuss shortly. But I would like to read to the House the understanding of citizenship as outlined to me by a dear friend—a Maltese friend, it so happens—Lawrence Dimech AM, a former consul general for Malta, a former member of the Labour Party in Malta, and a man committed completely to this nation. He wrote initially concerning the Maltese problem, which the government has basically resolved; there may be some other issues the government wants to give attention to. Lawrence Dimech writes in this manner:

We are glad that we have been asked again to submit our views about the Australian Citizenship Bill. We feel passionate about matters relating to citizenship. They tend to shape the future of our lives and create a strong bond with the nation of Australia, now our [country], our place of abode. He goes on:

We do agree with the increase but the emphasis should be more on commitment to Australian laws and traditions than residential qualifications. Applicants should be examined thoroughly regarding their work ethics, observation of the laws, contribution to the general community, their efforts to learn English and whether they have established real and permanent roots in this country.

From personal experience we observe that some permanent residents make the transition in less than three years but others take ... much longer. Permanent residency gives the new comer most of the benefits in this country but Australian citizenship should not be given as easily as it has been done in the past.

So writes Lawrence Dimech. He goes on:

Then, once Australian citizenship is given, it should only be taken away in exceptional circumstances.

And I think most Australians would say yes to that—except the Australian Labor Party. They had the most demeaned and meaningless commitment of any nation on earth. You could run through the oaths and the allegiances required of citizens of every nation on earth and the weakest of the lot was the Australian commitment. It meant nothing. It meant that people could come here and say, ‘Yes, I agree with everything you say,’ whether or not they understood what was being said, whether or not they knew the oath they were making, whether or not they knew the commitment they were taking on, or understood it, or could even reply in English; and they became, automatically, Australian citizens after two years. The shortest time and the least meaningful oath of any nation on earth—that is the record of the Australian Labor Party.

Now we are proposing changes, I believe, to restore a pride in and a commitment to and understanding of what this Australian nation is about, and I am extremely pleased that it is the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs who has seen the necessity of making these changes. I want to compliment him personally on it, because it is a step forward in the way in which our current generation of people understand Australia and want it to exist, and it is the aspirational statement of those who want to come here who want to stay here.
Let me give some of the common values: the importance of our families and our homes—these are significant in Australia; let us not give that away by a weak commitment to Australia—the individual freedoms and liberties that we have, and the values which unify us and provide a sense of purpose for individual endeavour. All of these things enrich our culture and provide us with the impetus to perform and to make the achievements that we have been so successful in making.

I refer briefly to the oath because we have had in Sydney circumstances to do with Sheikh Taj al-Din al-Hilali, whom I do not know; he became an Australian citizen. And this is another criticism of the Australian Labor Party, though none of them will talk about it of course: it was they and they alone who did this. The former member for Watson and before that Grayndler, to stack his branches, wanted a whole group of Arabic-speakers to join those branches, and he got them in. And the key person to do it—an illegal migrant at the time—was Sheikh Taj al-Din al-Hilali. That is what the Australian Labor Party did with Australian citizenship: played games with permanent residency and citizenship. And Paul Keating, bless his socks, when Bob Hawke was out of the country and he was Acting Prime Minister, ticked the box and created permanent residency first of all and then citizenship for Hilaly.

Did that man—who does not speak English now, to the media—understand what he was doing when he took the oath? I believe he has transgressed the weak oath that we have at the moment. I would like to see that oath strengthened, because really that is the legal commitment to the nation. The oath is the culmination of a process of learning about language, understanding the law and the processes, committing yourself to the culture of our nation, committing yourself to the future direction of this nation, and then encapsulating all of those understandings and that comprehension into an oath of commitment.

I believe that that oath of commitment must contain something, as does the American oath and most other oaths that people take—a commitment to renounce those things that would demean and diminish Australia. Until Chris Hurford found that it did not mean a great deal and that it was irrelevant, that renunciation clause used to be in the Australian oath of allegiance. That is the legal link which you can cite to a person who transgresses our understanding of what it is to be an Aussie; that is the link to point out to them: ‘You have transgressed your oath. You need to reform or you need to leave.’ I believe that that link is a legal commitment made by an individual, who should say their own name at the time of accepting citizenship, and that that legal link needs to be enforced.

The American situation is extremely interesting, and the Canadian oath and the oath of Great Britain are interesting. They all require greater commitment than the Australian oath. The Americans say:

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen ...

So, whilst they recognise the prospect of dual citizenship, the commitment is to where they are, in the United States, and that is what I think Australians want. They do not mind about cultural practice. They do not mind about people’s history or past. They do not mind about their friends and what they do, basically, but they want their primary commitment to be to Australia first of all. And so the citizenship bill that we are debating today I think is a significant change and a worthwhile change.
I would like to conclude my remarks by drawing attention to the inquiry that is currently being undertaken by the parliamentary secretary. There are some interesting things that people ought to comment about—not just migrant groups. This is an issue for all Australians. It does not matter whether it is the CWA, the RSL, a local church group, the Progress Association—everybody should have an interest in what it is to be an Aussie, and they ought to have a say on it. It is not a matter that should be captive to activists in the ethnic communities. This inquiry is about: should Australia introduce a formal citizenship test? Most countries have one. You have to sit down and answer a few questions about the country you are going to become a member of before you get citizenship. You must be able to answer them correctly.

The booklet distributed by the parliamentary secretary outlines some of those tests. How important is knowledge of Australia for Australian citizenship? Again, that is part of the process of joining most countries. What level of English is required to participate as an Australian citizen? That is very important: you do not get a job if you cannot speak English. That is the fact of the matter. How are you going to support a family, maybe your olds, your kids, if you cannot speak English? It is a critical factor. It is the key. You do not read street directories. You do not know where to shop. You do not know how to get around. It is a very important component.

I believe there has been some talk of people having English lessons available to them while they are waiting for final approval. Nothing could be better. You could do it electronically. There are 101 different ways in which effective lessons can be given to people before they come here. It would be a great start for them. We talk about the need for skills in Australia. Some of the greatest skills come from countries where people do not speak English, like Holland, Germany and places like that. People think, ‘The whole of Asia will come for skills.’ That is not the case. We look to different parts of the world for different skills. It so happens that some of the best tradesmen and skilled engineers are in Europe. We look to America for other things. It is a fact of nature that financiers and key businesspeople may come from Asia.

Understanding English is very important. How important is it to demonstrate a commitment to Australia’s way of life and values for those intending to settle permanently in Australia or spend a significant period of time in Australia? That says it all. I hope that inquiry will modify the way in which we look at citizenship and the provision of those government programs and efforts that support citizenship in the future. I commend the bill to the House. I condemn completely the activities of the Australian Labor Party in this area as being against Australia’s interest in every area.

Mr BOWEN (Prospect) (1.47 pm)—The Australian Citizenship Bill 2005 represents a significant rewrite of the Citizenship Act 1948. It was first introduced into the House 12 months ago. It has been listed for debate a number of times, and each time the government has withdrawn it as the time came to debate the bill. So it is good to see that it has finally come into the House for a proper debate.

I firstly would like to deal with the changes to the residency requirement encompassed by the bill. As originally constituted, this bill would have changed the residency requirement for Australian citizenship from two out of the last five years to three out of the last five years. The government told us that this was necessary for two reasons: firstly, to ensure that permanent resi-
students seeking citizenship had better experience of Australian life and its rights and obligations before taking the important step to become a citizen; and, secondly—and perhaps more importantly—to allow more time to identify people who might be a security risk.

The government took that to COAG. The premiers were convinced. We indicated that the reasons presented by the government in times of heightened national security would lead us to support it—and then the government did nothing. They let the bill sit on the shelf; they did not bring it into the chamber for debate but let it rot. This was meant to be an important initiative for national security, but the government left it there. For 12 months we have debated all sorts of other legislation, and the government have chosen not to bring this on for debate.

Mr Price—They did nothing.

Mr BOWEN—They have done nothing about it. They said it was urgent. They rushed it to COAG. They rushed out press conferences and releases—and then sat on the side and did nothing.

Now the government comes back and says, ‘Although we’ve done nothing for the last 12 months, we now want to make it even tougher.’ Now the government has amended its own legislation to increase the residency requirement to four out of the last five years. It has presented very slim reasons, and, in fact, no new reasons for this increase—no national security case; no case based on well-thought-out measures to improve the value of citizenship—but simply increased the period from three years to four years. That is something which cannot be supported.

There is a broad consensus in this House and in the community that we need to do more to ensure that people know what they are signing up for when they become Australian citizens, that they sign up for a clear set of values and a clear set of obligations and, of course, that English is highly desirable for anyone seeking to become an Australian citizen. But this continual attempt by the government to extend the residency requirement is not a sustainable way to achieve that. They have not presented reasons and, by approaching this matter in an ad hoc way and simply adding on another year, they attack the sustainability of what they are trying to do with the broad support of the opposition.

I am glad that the government has seen sense and is no longer attempting to introduce these changes retrospectively. The Labor Party put the view very strongly that we would support the increase to three years but that this should not be applied retrospectively, which would have been quite unfair. It should only apply to new arrivals in Australia and, as I understand it, the government has accepted that. Imagine the situation of people who had been looking forward to getting Australian citizenship, had been told what the requirements were, had filled out the forms and had been patiently waiting for the day to come, only to have the goalposts moved and to be told, ‘Sorry, you did meet the residency requirements but now we’ve changed them.’

It is worth remembering the context in which we advertise, encouraging Australian residents to become citizens. We spend government money asking people to take the pledge—and I do not have a quarrel with that; it is an appropriate use of government advertising, unlike most of the other advertising we see from this government—but we cannot advertise and encourage people to take out citizenship if we then change the goalposts on them.

Before I became a member of the House I had the privilege of serving as mayor of my city. One of the obligations that goes with that position is the swearing in of new citi-
zens, which I did on behalf of the former Minister for Immigration and Multicultural Affairs, who is in the chamber. When I was mayor I swore in probably 1,000 Australian permanent residents as Australian citizens on his behalf. He would agree with me that there are few greater thrills in public office than to see the look on somebody’s face when they take Australian citizenship. It means a lot and it is not to be taken lightly. And to change the goalposts and to say, retrospectively: ‘We are now no longer going to let you be a citizen. We know we told you that you had to be here for only two years, but now you have to be here for three or four years,’ would be most unfair. I am glad that the government has taken on board the Labor Party’s criticism.

I would like to spend most of my time talking about proposed section 21 of the bill. By way of background, under the old section 17 of the act, until 2002 Australia was one of those countries throughout the world that stipulated that you lost your Australian citizenship if you acquired the citizenship of another nation. This was grounded in the old way of doing things—the philosophy that it was somehow disloyal to Australia to also adopt the nationality of another country. Of course, forcing people to choose between Australian citizenship and that of another nation was always a false choice and cut Australia off from a source of talent and the loyalty of a large group of people. Some of the elements of this old way of thinking are still evidenced in this bill, as amended by the government.

The old section 18 of the act said that an individual who had citizenship of another country could formally renounce their Australian citizenship. The most prominent and obvious example was in the case of Maltese Australians. Of course, many thousands of Maltese citizens emigrated to Australia after World War II and, outside Malta, there are more Maltese in Australia than in any other country. When these immigrants had children in Australia they of course became Australian citizens and, under Maltese law, they were Maltese citizens by descent. In some cases the original Maltese immigrants returned to Malta and took their children, Australian citizens, with them. When these people returned they of course retained their Australian citizenship.

But the problem arose under the former Maltese law, whereby those children between their 18th and 19th birthdays had to choose which citizenship to retain. If these individuals did not renounce their Australian citizenship by the time of their 19th birthday they lost their Maltese citizenship. This was an invidious choice for these individuals but, at the end of the day, many of them had no choice. Children who were living with their parents in Malta, many of them undertaking further education, had no choice but to renounce their Australian citizenship, as difficult as that was for them. If they did not renounce their Australian citizenship they would not have been able to continue their studies, they would not have been able to work for the Maltese government and they would not have been able to buy property in Malta. So it is unfortunate that the Maltese government at that point imposed that choice on Australian citizens in Malta. Thankfully, in 2000 Malta changed that policy and they now accept dual citizenship, as do most nations around the world.

The difficulty arises now because those people who renounced their Australian citizenship have had their own children. Under this bill, the child of a person who forfeited their Australian citizenship under section 17 of the former act is able to reclaim their Australian citizenship. And that is a good thing—we welcome it. But the child of a person who was forced to renounce their citizenship under section 18 is not able to do
This is a false dichotomy, an artificial distinction, and it is one the government should rectify and it is one that they are refusing to rectify. It is also unfair to between 2,000 and 3,000 children who are living in Malta.

The government mounts the case that people who took citizenship of another country, and who therefore lost their Australian citizenship, often did not know the implications of what they were doing, whereas the people who formally renounced their citizenship did know the implications of their actions. As I say, it is a false distinction. Many of the people who took other citizenship and therefore automatically lost their Australian citizenship did know the implications of their actions. That is not to say that it made their decision any easier. It is not to say that it was not a wrench for them, but they did know the implications of their actions, just as Maltese citizens who renounced their citizenship, under section 18 of the old act, also knew the ramifications of their actions. It does not reflect what the government said that they would do. In his address to the Sydney Institute on 7 July 2004, the former Minister for Citizenship and Multicultural Affairs, the member for Moreton, said:

... the Australian Government has reconsidered this issue and decided that the principles underlying the resumption provisions should apply equally, regardless of whether the purpose of renunciation was to acquire or retain another citizenship and regardless of a person’s age. The Government will amend the act accordingly and include a requirement that the person be of good character.

But the bill that we see in the House today does not reflect that undertaking given by the member for Moreton to the Sydney Institute in July 2004. The government have, frankly, squibbed on their undertaking to Maltese Australians and reneged on their undertaking to the thousands of good Australian citizens who had to renounce their Australian citizenship under Maltese law. The government should rectify that and they should abide by the undertaking that was given by the member for Moreton in 2004.

It also does not reflect the recommendation of the Senate’s Legal and Constitutional References Committee, which strongly recommended that the children of people who renounced their citizenship under section 18 of the act should be treated the same way as people who forfeited their citizenship under section 17. It was a unanimous recommendation and the government should accept it. Importantly, the failure to deal with this issue in an inclusive way also reflects the old way of thinking.

It is of course true that Australian citizenship is a privilege which needs to be guarded closely, but it is equally true that as a nation Australia has not adequately valued the benefits that come to us from our diaspora. As a nation we have not fully capitalised on the potential of the large number of Australians who live overseas but who still regard Australia as home. On any given day, there are up to one million Australian citizens who live overseas. They still regard Australia as home and they are still happy to help our country.

The SPEAKER—Order! It being 2 pm, the debate is interrupted in accordance with standing order 97. The debate may be resumed at a later hour and the member will have leave to continue speaking when the debate is resumed.

PARLIAMENTARY BEHAVIOUR

The SPEAKER (2.00 pm)—There was another instance yesterday of members holding up placards in the chamber during question time, thus disrupting a question being asked by the Leader of the Opposition. I have repeatedly made it clear that members should not behave in this way. The fact that
some members have continued to do so constitutes defiance of the chair, which is a serious matter and a clear breach of standing orders. Consequently, I will no longer issue warnings on a case by case basis when members defy the chair in this way. The full disciplinary provisions of standing orders and the practice of the House will be considered. Where this involves the naming of whichever members fall within the Speaker’s line of sight, it will be necessary in accordance with House practice for separate motions to be moved for the suspension of each member. It will be for members to decide whether this is the way they wish to spend question time. I repeat my earlier advice to the House that a member with the call may make a passing reference to a displayed object or article. However, members who do not have the call may not do so and will be dealt with accordingly.

QUESTIONS WITHOUT NOTICE

Oil for Food Program

Mr KELVIN THOMSON (2.02 pm)—My question is to the Minister for Foreign Affairs and refers to his revelation last night that the Australian Federal Police are investigating a possible breach of UN sanctions concerning an Iraqi oil import. Is the minister aware that the vessel Poul Spirit arrived in Fremantle in October 2000 from Umm Qasr in Iraq and discharged its cargo of 90 million litres of Iraqi crude petroleum? Did the minister approve the import as he is required to by Customs regulation 4QA? If so, when, and what steps did he take to ensure this import was in compliance with the UN oil for food program?

Mr DOWNER—As I explained to the House last night, if there has been any breach of the Australian regulations or the UN sanctions then that is a matter to be investigated by the Australian Federal Police. I am not going into the details of what it is—I do not want to compromise the inquiry. The Labor Party making a political point is fair enough, I suppose, to compromise the inquiry, is it? Only a fool would compromise the inquiry. I am not proposing to do that and I am not going into any of the details in relation to that particular investigation. It is a matter for the Federal Police.

Muslim Community

Mr CADMAN (2.03 pm)—My question is addressed to the Attorney-General. Is he aware of statements by Sheikh al-Hilali relating to the role of women and religious conflict? Do such comments have the potential to divide the Australian community and what is the government’s response?

Mr RUDDOCK—The government, like many in the Australian community, has condemned very strongly the comments made by Sheikh Taj al-Din al-Hilali about women, particularly about sexual assault and religious conflict. The comments, as far as the government is concerned, are unacceptable. They have no place in our society. His comments on jihad in particular contradict what we are told are the basic philosophies and essence of everything for which Islam stands. Those who ask for tolerance from others, in our view, should show the same tolerance themselves.

The sheikh’s views on women are not shared by the majority of the Muslim community, and many prominent Australian Muslims, including many women, have spoken out strongly against his views. This is a matter that needs to be addressed by his community, and I am pleased at the efforts that have been made thus far, but I think they still have some way to go. This, of course, is not the first time that comments made by the sheikh have created concern in the Australian community. It is disappointing that this issue was not dealt with properly in the 1980s and 1990s, when similarly divisive and contro-
versial statements were made. It was then open to the government to deal with this matter when the sheikh’s application for permanent residency was made in the 1980s.

The then immigration minister, Chris Hurford, considered that application and did not approve it. However, this decision, as he has made clear, was overturned by one of his successors. That happened after the intervention of senior Labor ministers, including the former Prime Minister, Paul Keating, who acknowledged in this chamber on 18 September 1990 that he had made representations on the sheikh’s behalf. I raised the matter at that time, as I might say did the member for Mitchell, who has had a very considerable concern about these issues over a long time. I was criticised roundly by Labor ministers at that time for raising it.

Interestingly, in 2003 in the Adelaide Review Mr Hurford explained his decision to reject this application. He said it was based on the sheikh’s lengthy history of inflaming divisions in the community. Mr Hurford went on to tell the Australian that he believed residency was granted because the Labor government ‘erroneously believed this would have some political influence in particular electorates at the New South Wales state election’. That was Chris Hurford’s view. Labor knew there was a problem then and they chose to ignore it.

The opposition leader’s response on the Sunday program—where we have to live with it—avoids very clearly the responsibility that he and his colleagues had. This incident has divided the Muslim community, and it has not been helpful to relations between Australian Muslims and the rest of the community. Australia is a tolerant and multicultural society and there is room for all religions, but people who live here must respect the rule of law and Australian values.

**Medibank Private**

Ms GILLARD (2.07 pm)—My question is to the Minister for Health and Ageing. Minister, isn’t it a fact that the Parliamentary Library is independent and authoritative? Minister, isn’t it also a fact that the library’s guide to the Medibank Private Sale Bill 2006 specifically rejects the conclusion of the government’s paid lawyers that ‘the Commonwealth would not be liable to pay compensation’ to Medibank Private members? Minister, doesn’t this library advice prove that your government is determined to sell Medibank Private despite the fact that Medibank Private members have an arguable legal claim to more than half a billion dollars of the net assets of Medibank Private?

Mr ABBOTT—I certainly agree with the member for Lalor that the library is a marvellous institution, but it is not infallible and the government prefers its own professional legal advice, as you would expect. We prefer the professional legal advice of our distinguished legal advisers to that of the library.

Mr Brendan O’Connor interjecting—

The SPEAKER—The member for Gor- ton is warned!

Mr ABBOTT—I simply reiterate the point that this government believes that a privatised Medibank Private will be good for the health sector, will be good for the policyholders and will generally put downward pressure on premiums. We believe—along with the CEO of the NIB fund, Mr Mark Fitzgerald—that this is a very good policy.

**Economy**

Mr MICHAEL FERGUSON (2.09 pm)—My question is addressed to the Treasurer. Would the Treasurer outline recent data on private sector credit, and what does this indicate about the Australian economy?

Mr COSTELLO—I thank the honourable member for Bass for his question. The
Reserve Bank today released its monthly credit series, showing that credit remained stable in the month of September. Total private sector credit—comprising housing, personal and business credit—increased one per cent and was 14.4 per cent higher over the year, unchanged from August. Household sector credit—comprising household and personal credit—rose one per cent in September and housing credit rose one per cent to be 14.2 per cent higher than at the same time last year, unchanged from the growth rate in August. Housing credit growth at 14.2 per cent is significantly lower than the growth that we saw in 2004 when housing credit growth was up around 21 per cent. So, although credit growth is quite strong, it is certainly not at the peaks that it was before the readjustment in the housing cycle back in 2004.

One of the things that is supporting decent credit growth in this country is employment. There are 1.9 million additional Australians who have work compared to when the Labor Party was last in office. It is undoubtedly the case that that has given people the confidence to take out credit, because they are confident of their employment prospects under a coalition government. Your chances of getting a job were significantly lower under the Labor Party, which put so many people out of work.

Mr Hatton interjecting—

Mr COSTELLO—I believe it is the member for Blaxland who is interjecting. After all, it was his boss, Mr Keating, who presided over all those people who were put out of work.

Mr Hatton interjecting—

The SPEAKER—Order! The member for Blaxland does not have to respond.

Mr COSTELLO—The Labor Party did not care about people who were put out of work in the late eighties and nineties, because the Labor Party increased unemployment. The Labor Party never had an unemployment rate with a four in front of it.

Mr Hatton interjecting—

The SPEAKER—The member for Blaxland is warned!

Mr COSTELLO—The Labor Party loved the unemployed so much they kept creating more of them. They got the unemployment rate up to 10 and 11 per cent under their predecessor, the boss of the member for Blaxland. It is the coalition that stands for jobs for working people. It is the coalition that stood up to give the working people of this country a go at a job. It is good economic policy, because this is the party that cares for the working people of Australia.

Climate Change

Mr BEAZLEY (2.13 pm)—My question is to the Prime Minister. Prime Minister, aren’t the key recommendations from the Stern review that countries should take action to support international agreements, such as the Kyoto protocol, which have targets for reducing greenhouse emissions and put a price on carbon through emissions trading? Prime Minister, will you now support Labor’s blueprint that I released in March 2006 to ratify the Kyoto protocol, introduce a national emissions trading system and significantly increase the mandatory renewable energy targets?

Mr HOWARD—It is true that the Stern review, apart from analysing the climate change that is occurring and projecting the likely outcomes, recommends that there be concerted, combined and comprehensive international action to challenge this issue. That is a recommendation that the government wholeheartedly endorses. Let me simply say, however, that in pursuing that objective we will make certain that the natural advantages this country has been given by providence are not squandered. One of the
great natural advantages this country has is that we are a major possessor, user and exporter of fossil fuels. It therefore follows that, if we are not careful in the implementation of our policies in relation to this issue, not only can we do great damage to our own economy but, in the process, we will not serve the interests of those who live in other countries. We do as a country have an obligation as part of the international community to play our role.

I might mention that, in pursuit of the greenhouse gas emission target set by Kyoto, this country is doing better than most industrialised countries. It is very interesting that some of the countries that presume to lecture Australia are in fact far less likely than Australia to meet their Kyoto targets. The reason why we have not signed, and will not sign, Kyoto in its present form is that it does not comprehensively embrace all of the world’s major emitters.

Mr Kerr interjecting—

The SPEAKER—Order! The member for Denison!

Mr HOWARD—You cannot have an effective response to global warming unless you have all of the culprits in the net. As you know, Kyoto does not impose the obligations it would have imposed on Australia on countries like China and India. The United States is not a member of Kyoto and, if my quick mathematics is correct, if you add the United States, India and China together, you have virtually half of the world’s greenhouse gas emissions. How on earth can an agreement that does not embrace almost half of the world’s emitters be the answer? It plainly is not the answer, and that is why we have not signed it. And there is another reason why we have not signed—that is, if we signed it in its present form—

Mr Kerr interjecting—

Ms King interjecting—

The SPEAKER—Order! The member for Ballarat!

Mr HOWARD—is to develop alternatives to the use of fossil fuel—alternatives that involve everybody sharing the burden and not placing an unfair burden on the industries of Australia. There is nothing in the Stern report—and I have read the executive summary; I do not pretend to have read the 700 pages—that is contrary to what I am saying, because in the end you will not solve this problem until you get an effective international agreement. Kyoto was never an effective international agreement and that is why we did not sign it, but we are committed to working with other countries and we are very active in trying to achieve an agreement that does include everybody. The other thing I have to say is that the response to the problem is multifaceted. We clearly need to invest more in technologies to clean up coal, we clearly need to invest in renewables and we clearly need to look at the nuclear option.

Ms King interjecting—

The SPEAKER—Order! The member for Ballarat is warned!
Mr HOWARD—Let me conclude my answer by quoting from somebody else. When I read this at the beginning of the year, it struck me as eminent common sense, and I would like to share with the House these words, which I think really encapsulate the issue very well:

Those who hope to replace fossil fuels with renewable energy sources such as solar, wind and wave power need to come to terms with the reality that renewable energies, while they have an important and growing role to play, can’t provide affordable and continuous base load energy.

Abandoning traditional base load power in favour of renewables would result in an indefinite global depression, condemning hundreds of millions of the world’s poorest people to starvation.

This contribution to the debate ends with the words:

Uranium is the other option for base load energy.

Those words are very similar to what I have been saying as a contribution to this debate over the past weeks. They neatly encapsulate the common sense. They are the words of somebody who cares about the working men and women of Australia. They were the words of none other than the member for Batman on 26 January 2006.

Climate Change

Mr BROADBENT (2.21 pm)—That was an excellent response, Prime Minister. My question is addressed to the Minister for Foreign Affairs. Would the minister update the House on Australia’s international cooperation to address climate change?

Mr DOWNER—Firstly, I thank the honourable member for his question and, obviously, for his longstanding interest in the whole issue of climate change. What the Stern review is helping to focus the public mind on is the fact that the only solution to the climate change issue is going to be a comprehensive and global solution. That can be illustrated with a simple statistic. According to the Australian Bureau of Agricultural and Resource Economics, ABARE, Australia produces about 1.6 per cent of global emissions and China, 15 per cent, but by 2050 Australia’s share will have dropped to 1.1 per cent and China’s will have increased to nearly 27 per cent.

Those statistics make it perfectly clear that the great challenge in addressing the climate change issue is to engage countries like China, India and also, by the way, Brazil to ensure that these major developing country emitters are part of the solution to the problem. It cannot be solved without engaging them. Of course, the Labor Party cries, ‘Kyoto, Kyoto, Kyoto.’ What does ABARE say about Kyoto? ABARE says that, without the Kyoto protocol, greenhouse emissions during the commitment period, 1990 to 2008-12, would have increased by 41 per cent, but if every single country which has targets under Kyoto and has ratified Kyoto achieves those targets—and, as the Prime Minister has said, many of them are way over those targets—then those emissions would not grow by 41 per cent but by 40 per cent.

For the Labor Party to go out and try to convince the Australian public that Kyoto is an answer to the climate change issue is completely misleading. It is more than misleading; it is false. What this government is doing is working on making sure that we engage the major emitters. The Asia-Pacific Partnership on Clean Development and Climate, which had its inaugural meeting in Sydney in January, includes China, India, the United States of America, Japan, the Republic of Korea and Australia. This is about 50 per cent of the global GDP and it is about 50 per cent of global emissions, and most of these countries—there are a couple of exceptions there—are not making any commitment under Kyoto.
This is an enormously important development. We will have more to say about it as the week wears on. The fact that we will have more to say about it I know will interest the Labor Party. The Labor Party has bagged this initiative from the word go. The honest truth of this is that the Labor Party’s preferred option is Kyoto, which excludes China, India and Brazil—and the United States of course—from making any commitments. Our preferred option—

Mr Crean interjecting—

The SPEAKER—Order! The member for Hotham is warned!

Mr DOWNER—Of course, not wishing to disparage anything else, our preferred option is the Asia-Pacific partnership—AP6. Finally, the United Nations Framework Convention on Climate Change has a meeting next week in Nairobi. At that meeting there will be a discussion about how we are going to address, as an international community, the second commitment period. This is what Sir Nicholas Stern and others are interested in. Australia will be fully engaged in that meeting, but we will be engaged on the basis that we have always been engaged—that is, that we get the major emitters to make a contribution and a commitment. That is the basis on which we are engaged, not on some phoney political stunt which misleads people on solving the problem of climate change. The Labor Party know their policy is a policy of stunts, not of substance.

Mr Swan interjecting—

The SPEAKER—Order! The member for Lilley!

Climate Change

Mr BEAZLEY (2.26 pm)—My question is to the Prime Minister. I refer the Prime Minister to his statement in answer to the last question that the Kyoto protocol was ‘never an effective international agreement’. Prime Minister, do you recollect the statement of your then environment minister, former Senator Hill, when he said on 30 March 2000:

There are those who foolishly believe that Australia has something to win by derailing the Kyoto protocol. As an expression of our commitment to the Kyoto outcome, the Howard Government ensured that Australia was among the first nations to sign the Protocol.

Prime Minister, do you recollect the statement of your then Minister for Resources and Energy, Warwick Parer:

The Kyoto Protocol provides a sound basis for protecting Australia’s export competitiveness and employment prospects in our minerals processing and energy export industries ... I also ask you, Prime Minister, whether you remember this quote from your former Deputy Prime Minister—the Deputy Prime Minister when he made it:

... the Kyoto agreement permitting Australia an 8% increase in emissions of 6 greenhouse gases by 2012 over 1990 levels will preserve the interests of farmers, miners, manufacturing industry and the economy in general.

The SPEAKER—Order! The Leader of the Opposition will come to his question.

Mr BEAZLEY—Finally, Prime Minister, do you recollect your own statement: ‘The Kyoto protocol is a win for the environment and a win for Australian jobs’?

The SPEAKER—The leader will come to his question or resume his seat.

Mr BEAZLEY—Apart from your receipt of advice from the President of the United States, George Bush, what has changed since then?

Mr HOWARD—The answer is that I do broadly remember those statements. It does not in any way alter the substance of this debate. The substance of this debate is whether in fact ratifying the Kyoto protocol—
Ms Macklin interjecting—

The SPEAKER—The Deputy Leader of the Opposition!

Mr HOWARD—Sure, Australia signed the original Kyoto protocol, but we never ratified it. The reason we never ratified it is that—

Opposition members interjecting—

The SPEAKER—Order! The Deputy Leader of the Opposition!

Mr HOWARD—Sure, Australia signed the original Kyoto protocol, but we never ratified it. The reason we never ratified it is that—

Ms Macklin interjecting—

The SPEAKER—The Deputy Leader of the Opposition will resume her seat.

Mr HOWARD—Sure, Australia signed the original Kyoto protocol, but we never ratified it. The reason we never ratified it is that—

Ms Macklin interjecting—

The SPEAKER—The Prime Minister will resume his seat.

Mr Swan—You didn’t like the cover?

The SPEAKER—The member for Lilley is warned! I remind members that the Leader of the Opposition has asked a serious question. The Prime Minister has been called and the Prime Minister will be heard.

Mr HOWARD—There are two reasons why, above others, the government did not ratify the Kyoto protocol and why the inane mantra of the Labor Party at the present time is that you solve everything by ratifying the Kyoto protocol. Firstly, as the foreign minister pointed out, without Kyoto—

Ms Macklin interjecting—

The SPEAKER—Order! The Deputy Leader of the Opposition is warned!

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Mr HOWARD—There are two reasons why, above others, the government did not ratify the Kyoto protocol and why the inane mantra of the Labor Party at the present time is that you solve everything by ratifying the Kyoto protocol. Firstly, as the foreign minister pointed out, without Kyoto—

Mrs Irwin interjecting—

The SPEAKER—The member for Fowler is warned!

Mr HOWARD—There are two reasons why, above others, the government did not ratify the Kyoto protocol and why the inane mantra of the Labor Party at the present time is that you solve everything by ratifying the Kyoto protocol. Firstly, as the foreign minister pointed out, without Kyoto—

Ms Hoare interjecting—

The SPEAKER—Order! The member for Chariton will remove herself under standing order 94(a).

The member for Chariton then left the chamber.

Mr HOWARD—There are two reasons why, above others, the government did not ratify the Kyoto protocol and why the inane mantra of the Labor Party at the present time is that you solve everything by ratifying the Kyoto protocol. Firstly, as the foreign minister pointed out, without Kyoto—

If anybody imagines for a moment that that is a position at which we have arrived in the wake of the Stern review, let me refer to the document that the Deputy Leader of the
Opposition hoped that I would not throw around. It happens to be a document entitled *Securing Australia’s energy future* and it was published some two years ago. On page 149, we made it perfectly clear in that document that we were open to participation in an international emissions trading system and that we would not, however, be willing to introduce a trading scheme in the absence of an effective global response. Our position for some years has been to the effect that I have outlined. If you can get all of the world’s major emitters then we can be part of an emissions trading scheme but, until we do, it would betray the interests of, amongst others, the working men and women of Australia if this country were to embrace the policies of the Australian Labor Party.

*Ms Plibersek interjecting—*

**The SPEAKER**—The member for Sydney!

**Climate Change**

**Mr BARTLETT** (2.34 pm)—My question is addressed to the Minister for Industry, Tourism and Resources. Would the minister update the House on government initiatives to reduce Australia’s greenhouse gas emissions?

*Ms Gillard interjecting—*

**The SPEAKER**—I remind the member for Lalor that she has been warned!

*Mr Pyne interjecting—*

**The SPEAKER**—The member for Sturt is warned too!

**Mr IAN MACFARLANE**—I thank the member for Macquarie for his question and his very strong support of the government’s policy in lowering greenhouse gas emissions. When it comes to the challenge of lowering greenhouse gas emissions—

*Ms Plibersek—Do you think if you say it enough someone will believe it?*

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

**Mr IAN MACFARLANE**—this government believes in actions, not words.

*Opposition members interjecting—*

**Mr IAN MACFARLANE**—Mr Speaker, I am not going to try and talk over them.

**Mr Martin Ferguson**—Mr Speaker, I rise on a point of order. As the minister’s shadow, I think he should be given a fair hearing. I draw your attention to the government whip who is conducting a ballot during question time. I refer to your previous ruling that the opposition whip was not to move around during question time. I ask you to apply the same ruling to the government whip so as to ensure that the minister gets a fair hearing.

*Opposition members interjecting—*

**The SPEAKER**—Members are holding up their own question time. The member for Batman raises a valid point of order and, included in that, he made it clear that, as all members are well aware, when a minister is asked a serious question he deserves the right to be heard.

**Mr IAN MACFARLANE**—As I said, when it comes to the challenge of greenhouse gas emissions and lowering greenhouse gas emissions, this government believes in actions.

*Mr Fitzgibbon interjecting—*

**The SPEAKER**—Order! The member for Hunter will remove himself from the House under standing order 94(a).

The member for Hunter then left the chamber.

**Mr IAN MACFARLANE**—Actions like the $500 million Low Emissions Technology Demonstration Fund, which has seen projects already announced that will lower greenhouse gas emissions by millions of tonnes per annum; the $100 million renew-
able energy development initiative, which has already seen some 16 renewable energy projects awarded funding across the country; and of course the $75 million Solar Cities program, which is seeing groundbreaking solar energy technology trialled throughout Australia, including in Adelaide and Townsville. These programs are part of a $2 billion strategy laid out by this government. It is a strategy to lower greenhouse gas emissions which is unashamedly focused on practical technological measures which deliver real greenhouse gas reductions. This approach was emphasised heavily in today’s Stern report. According to the report:

Effective action on the scale required to tackle climate change requires a widespread shift to new or improved technology in key sectors ...

The report goes on:

... closer collaboration between government and industry will further stimulate the development of a broad portfolio of low carbon technologies and reduce costs.

The report goes on to say:

Policy should be aimed at bringing a portfolio of low-emission technology options to commercial viability

That is precisely what this government is doing, and those opposite are not prepared to accept the hard work of policy to put these initiatives in place. They chant ‘Kyoto’ and yet Stern says there is no single-bullet solution to this complex global issue. Concerted international action is needed, yet Labor continues to just say one thing: Kyoto.

Kyoto is not a global trading system and it is not successful in lowering the greenhouse gas emissions of most countries. It binds less than half of the world to emissions reduction, and most of those are going to miss their targets. Over the life of the treaty, global emissions will grow by some 40 per cent. It shows once again that taxes, treaties and targets do not deliver greenhouse gas savings; technology does—and technology is exactly what this government is delivering.

Climate Change

Mr ALBANESE (2.40 pm)—My question is to the Prime Minister and follows the answer from the industry minister to the previous question. Prime Minister, isn’t it the case that every single announcement made under the low emissions technology fund has depended upon market based renewable energy targets established by state governments, a policy approach that you have explicitly rejected? Isn’t it the case that Solar Systems themselves have said that their solar plant in Mallee, Victoria is only viable because of the Victorian renewable energy target? Is it not the case, Prime Minister, that the Stern report identifies the need for market based mechanisms in order to drive the application and commercialisation of new technology?

Mr Downer interjecting—

The SPEAKER—Order! The Minister for Foreign Affairs is warned!

Mr HOWARD—The answer to the first part of the question is no. The answer to the second part of the question is that the fundamental recommendation, observation, conclusion—call it what you will—of Stern is that you need a comprehensive international agreement and then you can have an emissions-trading system. That has been our position—

Mr Tanner—Macfarlane said he didn’t like treaties!

The SPEAKER—Order! The member for Melbourne is warned!

Ms Macklin interjecting—

Mr HOWARD—that has been our position. I know the Deputy Leader of the Opposition does not like me brandishing this document—and I will handle it with care!—but if you care to have a look at it you will
find that, way back a couple of years ago, when we laid down the low emissions technology fund, we explicitly allowed for the day when you would have international agreement on an emissions-trading system. But it will not work unless everybody is in.

Ms Plibersek—Why don’t you show some leadership!

The SPEAKER—Order! The member for Sydney will remove herself from the House under standing order 94(a).

The member for Sydney then left the chamber.

Mr HOWARD—An international emissions-trading system will not work unless you have everybody in.

Mr Albanese interjecting—

Mr HOWARD—It will not work unless you have everybody in. According to that definition, to which the member for Grayndler assented, Kyoto is not an international emissions-trading system, because everybody is not in Kyoto. In particular, the countries responsible for half the world’s emissions are not part of Kyoto.

I was interested in the reaction of those who sit opposite when I said we needed a new Kyoto. Let me say that again: we do need a new Kyoto, because the old Kyoto has failed. The old Kyoto has been a failure because the old Kyoto did not have India and it did not have China. It had India and China as sort of nominal members, but they were—what do you call it in the jargon?—annex 2 countries. Or was it annex 1? In other words, they were signatories but they were not obligated. Therein lay, you might say, the investment death trap for Australia. If we had signed up to the failed Kyoto, what would have happened was that we would have assumed obligations. The member for Batman knows this, because the member for Batman still cares about the working men and women of Australia and he does not want their job opportunities destroyed. That is why we did not sign the old Kyoto.

We would be part of a new Kyoto if the new Kyoto embraced all of the countries of the world, put us all on a proper footing and, very particularly, included all of the world’s great emitters. If that were to happen, you could seriously talk about an emissions trading system; but, until you get that, it is manifestly against the interests of this nation to sign up to the current Kyoto because, if there is no change, all that will do is result in the export of jobs from this nation to other countries, where the obligations imposed are less than the obligations imposed on Australia.

If we are to have a sensible debate about this issue—and I assume that that is what those who sit opposite want—then we must acknowledge that the goal is to get a framework where everybody is involved in an international emissions trading system. We are prepared to be part of the international negotiations needed to bring that about, but our precondition is that everybody is in. We are not signing something that obligates Australia and does not obligate other countries, particularly given the natural advantage that providence has given us in relation to fossil fuels. What a fool this country would be to itself, having been given this enormous natural advantage that providence has given us in relation to fossil fuels. What a fool this country would be to itself, having been given this enormous natural advantage, if we were to take a disproportionate share and burden and, in effect, say to the world, ‘We know that if we assume these obligations they will hobble our efficient export industries and they will not affect yours.’ I am not going to do that and nor is any member of this government. But what we are going to do is very enthusiastically be part of an endeavour to find, if you like, a new Kyoto that embraces everybody and has an effective international emissions trading system. If everybody is in that, we can actually make a bit of progress.
Climate Change

Miss JACKIE KELLY (2.46 pm)—My question is to the Minister for Education, Science and Training. Would the minister update the House on the research being undertaken by the CSIRO into climate change and the technologies to deal with it? What is the government’s response to this?

Ms JULIE BISHOP—I thank the member for Lindsay for her question and her interest in this matter. Australia accounts for about 1½ per cent of global emissions, yet we have the potential to have a significant impact on reducing global emissions through the development of innovative technologies that can be adapted globally. Our premier scientific and research organisation, the CSIRO, already has a strong track record of influencing international innovation. The Australian government has increased base funding for the CSIRO by some 45 per cent over the last 10 years to a record high of over $600 million this year. The CSIRO now ranks in the top one per cent of scientific institutions around the world in 13 of 22 research fields, including environment and ecology.

In 2006-07 alone, the CSIRO is investing around $60 million on climate change research. This year, $30 million will be spent on energy research through one of our flagship research programs, Energy Transformed. That is targeting a wide range of technologies, including solar, wind, clean coal and hydrogen. The flagship program is also working on variable energy from wind and solar, and it has developed the Ultra battery, which is a long-life super battery. Some of the major breakthroughs by the CSIRO to date include using solar energy to transform natural gas to hydrogen, which could be used for future energy needs, and developing the world’s most efficient method of extracting hydrogen from water.

The Australian government supports the CSIRO in these efforts. In fact, this year we funded the CSIRO’s $5.3 million National Solar Energy Centre, which is using solar energy to convert fossil fuels to gas. Members will be interested to know that CSIRO’s manufacturing and infrastructure technology division is at the forefront of fuel cell research. This is an environmentally friendly technology that converts fossil fuel or hydrogen to electricity. I think members should also note that the CSIRO’s expenditure on renewable energy has increased by almost 400 per cent since 2003 to over $15 million in 2006-07.

But, of course, the Leader of the Opposition has the answer. He has now pledged to save the planet. He is going to solve the problem of climate change single-handedly. At his doorstop this morning, he said: I am absolutely fair dinkum about dealing with the consequences of climate change. When we’re elected to office, we will fix this.

I would be very interested to know how the Leader of the Opposition intends to reduce emissions in China or India. While this government is supporting groundbreaking research into climate change, we are ensuring our economy remains strong, we are ensuring that there are low levels of unemployment and we are also working sensibly to reduce emissions.

Renewable Energy

Ms GEORGE (2.50 pm)—My question is to the Prime Minister. Can the Prime Minister confirm that the renewable energy project launched this month in China by his environment minister was funded under the clean development mechanism of Kyoto? Can the Prime Minister also confirm that if the project were controlled by an Australian company it would not have proceeded? Prime Minister, isn’t it the case that Australian companies are being forced offshore because...
of our isolation from the markets being created by the Kyoto protocol?

Mr HOWARD—In precise answer to the tail end of the question: no.

Taxation

Mrs MOYLAN (2.52 pm)—My question is to the Treasurer. Would the Treasurer update the House on how the Australian Taxation Office is cracking down on tax cheats who seek to rip off Australian taxpayers? How is the government assisting the Australian tax office?

Mr COSTELLO—I thank the honourable member for Pearce for her question. I can tell her that the Australian government has increased funding to the tax office by 55 per cent from 1999-2000 to 2006-07, from $1.6 billion to $2.5 billion. Between 2001 and 2006, the ATO referred 862 cases to the Commonwealth Director of Public Prosecutions. Of those, 538 defendants were convicted, 105 were sentenced to jail and 318 were fined. In the last year, in 2005-06, the ATO completed 363 audits, which resulted in adjustments of $121.4 million to tax liabilities, with $33.1 million in penalties and $21.1 million in interest. It also finalised 367 investigations. Of 107 matters dealt with by the courts during the year, 102 resulted in successful prosecution. That is a 95 per cent success rate in prosecutions. The courts imposed prison sentences ranging from three months to eight years in 56 per cent of those cases. The courts also imposed reparation orders and fines.

So the Australian Taxation Office has been extremely active in prosecuting those that engage in criminal breaches of the taxation act. The prosecution rate shows that the cases that they take are cases which are well founded, having a 95 per cent success rate. This has saved taxpayers generally hundreds of millions of dollars and in deterrence even more so, and with Operation Wickenby, the largest coordinated investigation between crime and enforcement authorities we have yet seen in Australia, we are actually taking stronger steps than ever in relation to criminal conduct against the tax system.

The object of this is to make sure that everybody pays their fair share so that Australians generally can have lower taxation. Lower taxation was introduced as a result of this year’s budget, where we raised thresholds and cut rates, and also in relation to superannuation, where the government has introduced the largest superannuation reform in Australian history. We could not do that kind of tax reform if we did not have a good system which was being observed by all, and the government supports the Australian Taxation Office in successful measures to bring that about.

Climate Change

Mr GARRETT (2.55 pm)—My question is to the Prime Minister. Prime Minister, isn’t it the case that the Australian company Roaring 40s, which is involved in the Chinese renewable energy project, abandoned $550 million of projects in South Australia and Tasmania because the government has not increased the mandatory renewable energy target? In fact, didn’t the company itself say, ‘Further substantial investment in the renewable energy industry is unlikely without an increase in the mandatory renewable energy target’?

Mr HOWARD—As I am sure the member for Kingsford Smith would know, companies have a variety of reasons for the investment decisions they take, and I am not going to try and superimpose mine or yours on this company’s decisions.

Regional Partnerships Program

Mr HARTSUYKER (2.56 pm)—My question is addressed to the Deputy Prime Minister and Minister for Transport and Regional Services. Would the Deputy Prime
Minister update the House on the success of the government’s Regional Partnerships program? Is the Deputy Prime Minister aware of any comments regarding the future of this program? What is his response?

Mr VAILE—I thank the member for Cowper for his question. The member for Cowper recognises the significant importance of this program in assisting regional communities with their economic and social structures and the improvement that can take place with the assistance of the federal government. The member for Cowper would be aware that since 2003 about 1,088 projects have been funded to the tune of $213 million, having been approved by the government. But, most importantly, with all those projects, for every dollar that has been put in by the Commonwealth there has been $3 contributed by the partners, whether they be community groups or organisations, or local councils. So for every dollar we have put in we have attracted an extra $3 invested in those communities. One classic example in the member for Cowper’s electorate is the Shearwater Patients and Carers Lodge in Coffs Harbour, which received $245,000 in Regional Partnerships funding. Local doctor and Rotary Club member Dr Paul Moran said of the project:

Without the Regional Partnerships Program the Shearwater Lodge could not have been built. Shearwater Lodge is a great facility and Regional Partnerships is a great program.

So that is in the electorate of the member for Cowper. Yesterday we heard from the Australian Labor Party spokesman, the member for Hotham, in a personal explanation at the end of question time, his commitment to maintain this program—and if we have a look at the website, under the page that features the member for Hotham, it is also there. But we have not had that commitment from the Leader of the Opposition. The last comment that the Leader of the Opposition made on Regional Partnerships that we have been able to find was made last year. I quote it:

... the program’s got to go. And we’re going to fight like blazes between now and the Budget to force them to cancel this program.

That was the Leader of the Opposition then, and, on the weekend, in talking about regional policy, he had the chance to make the commitment that the member for Hotham made in this House yesterday, that the Labor Party will keep this program. I hope, Member for Hotham, that your confidence in the leader is very strong—because we all know that the Leader of the Opposition walked away from you once before, on your preselection. I hope he backs you up in supporting the Regional Partnerships program, which is very important to regional Australia. We intend to keep this regional program that has been incredibly valuable for regional Australia. I am pleased to hear the member for Hotham wants to keep it as well. What we need to hear from the Leader of the Opposition is that the Labor Party is going to keep it.

Climate Change

Mr BEAZLEY (2.59 pm)—My question is to the Prime Minister. It follows his repeated statements in question time today that Australia will meet its Kyoto targets and his repeated criticisms of those European and other states who are not meeting theirs. Is the Prime Minister aware of figures released last night by the secretariat for the United Nations Framework Convention on Climate Change that Australia’s greenhouse emissions rose by 25.1 per cent between 1990 and 2004? Doesn’t this United Nations report show that Australia, on current performance, will not meet its Kyoto target?

Mr HOWARD—In answer to that question—and I am surprised the Leader of the Opposition has asked it—it is misleading to quote the UN report figures because they do
not include all sectors of the economy and they exclude land use change and forestry. In other words, the Leader of the Opposition is relying on bodgie figures.

Mr Costello—They are gross figures.

Mr HOWARD—As I am reminded by the Treasurer, they are gross and not net figures.

Workplace Relations

Mr HENRY (3.01 pm)—My question is addressed to the Minister for Employment and Workplace Relations. Would the minister inform the House how the government’s workplace reforms are delivering higher wages and more jobs for Australian workers? How has the union movement reacted to these changes and what is the government’s response?

Mr ANDREWS—I thank the member for Hasluck for his question and, in response to it, I can indicate that since the introduction of Work Choices in March this year we have seen 205,000 jobs created in Australia. Of those 205,000 jobs, 184,000 jobs have been full-time jobs. That 205,000 is almost three times the average number of jobs created for the same six-month period in Australia over the previous 20 years.

As I go around this country I meet employers and, in particular, employees who tell me about the higher wages and the jobs they have as a result of this government’s economic policies. Not only is that reflected in the ABS data about job creation but also it is reflected in the latest ABS data about the increase in wages in Australia. What we have as a result of increased workplace flexibility in Australia is a larger number of jobs, a significant number of jobs having been created and wages going up, as reflected last week in the decision of the Australian Fair Pay Commission.

The member for Hasluck asked me about the reaction of the union movement. Last week the ACTU finalised its industrial relations policy. This policy that Mr Combet and the ACTU put forward is interesting because in it not a word is said about building Australia’s prosperity. There is nothing in this document about keeping the Australian economy strong and, significantly, there is nothing in this policy about creating jobs for Australians—a policy from the Australian Council of Trade Unions that makes no mention whatsoever about jobs and creating jobs in this country and that says nothing about the plight of those who remain unemployed in Australia and about their chances of moving into jobs.

What we have once again from the ACTU is a document which is about the union bosses wanting to grab more power in Australia’s workplaces. I believe Australians want to see a workplace relations system that strengthens the Australian economy, that gives more Australians an opportunity to get jobs for themselves and their families and that enables Australians to get out and have a go. There is nothing in the ACTU document about that. In stark contrast, Greg Combet and the Leader of the Opposition want simply to impose more union power on Australia. The Leader of the Opposition weakly caves in to every suggestion which is made by the ACTU. This would be a disaster for the Australian economy.

Climate Change

Mr BEAZLEY (3.04 pm)—My question is to the Prime Minister. Is the Prime Minister aware that the Stern review warns of a possible 20 per cent loss in GDP, economic costs equivalent to both world wars and the Great Depression, the loss of such treasures as the Great Barrier Reef and potentially millions of refugees because of rising sea levels? Why does the Prime Minister have a
plan for his future but no plan to protect future generations from the impact of climate change?

Mr HOWARD—I am aware of those comments and those projections made. I think the Stern review, along with other reports, is making a contribution to the debate on climate change. I think it is very important, if we are to have a proper and intelligent analysis, that we look at these reports objectively. We do not ignore them nor do we invest them with some kind of scriptural relevance and status so as to blind ourselves to an objective embrace of what is needed. The future challenge of climate change can only be met by a variety of policies. Nobody put it better than the member for Batman. Let me return to his words because they are thoughts that I share:

Those who hope to replace fossil fuels with renewable energy sources—and that obviously includes the member for Grayndler—such as solar, wind and wave power need to come to terms with the reality that renewable energies, while they have an important and growing role to play, can’t provide affordable and continuous base load energy.

He concludes by saying:

Uranium is the other option for base load energy.

Let me say this about the future: if you are serious about a future that deals with climate change, you have to look at the nuclear option, and those who set their faces against that have no conception. According to the member for Batman—who does at least continue to speak for the working men and women of this country, on the Labor side—you cannot replace base load power generation with solar and wind, and so you really have two alternatives. You either have to clean up coal or, alternatively—or in conjunction with that—you have to look at the nuclear option. If you are serious about the future, you will at the least do that. I invite the Leader of the Opposition to bring on his censure motion.

PRIME MINISTER

Censure Motion

Mr BEAZLEY (Brand—Leader of the Opposition) (3.07 pm)—by leave—I move:

That this House:

(1) censures the Prime Minister for:

(a) refusing to acknowledge the reality of climate change;

(b) failing to join the international community in ratifying the Kyoto Protocol;

(c) ignoring the need to develop a long term comprehensive plan to combat climate change; and

(d) failing to act while Australia is exposed to the catastrophic economic and environmental impacts of climate change detailed in the Stern Report; and

(2) demands that the Prime Minister adopts Labor’s systematic climate change plan in the national interest.

The Prime Minister has had about seven different positions when it comes to the issue of climate change and what ought to be the country’s response to it. When you take a look at what they had to say about Kyoto—when they signed Kyoto, I might say, and negotiated it—you see that what the government of the day then said was full of pride. It was full of pride in the fact that they had got themselves, as opposed to their European counterparts, a very substantial benefit in the form of being permitted to actually see an increase in greenhouse gas emissions from Australia.

The Prime Minister signed Kyoto in the full knowledge that a number of countries were, as he described them, annex 2 countries, not yet committed to any particular set of targets, though anticipating that, subsequently, targets would cover all of them. He signed it in the knowledge that any emissions
trading scheme and all the other arrangements placed, or contemplated, and targets contemplated within the framework of Kyoto would have different application in some countries from applications in others. He signed it with all his ministers saying that the targets that were being suggested for Australia contained no problems as far as our minerals industry and our manufacturing industry were concerned and that there were a set of targets agreed by the Australian government that would be eminently achievable within the sorts of constraints that the government considered economically perfectly acceptable in terms of providing employment opportunities in this nation.

Something happened after that. It was not the position of China and India; that had not occurred. It was not the issue of the particular achievement or otherwise of the targets associated with our European counterparts. The thing that changed after that was that he had a discussion with a new administration in the United States, and that is a tragedy.

Paradoxically, the one piece of advice I have seen recently by George Bush, in some way or another related to this debate, that the Prime Minister chooses not to follow was the one piece of good advice that George Bush has given—and that is that he wishes to see no other uranium enrichment plants established anywhere on earth, because of his concerns about the proliferation impact of it. The Prime Minister does not mind standing up here, in question time after question time, challenging that piece of advice from the United States. But he does mind standing up and committing himself to his original position. Even though he gets up in this place and lays out this panoply of horror—for Australian workers, he says—in the same breath the Prime Minister says, ‘Of course we’ll achieve our targets.’

The two go together. If on the one hand the targets are going to create that unemployment, which seems to be his argument, why would you put it in place? Despite the fact that the United Nations has now tumbled to the fact that we might not achieve those targets, are you still insistent that we will? And are you still insistent that achieving it is okay? Prime Minister, you cannot have both. You cannot on the one hand have your argument that the targets created under Kyoto create enormous problems for us, and on the other hand that you are going to achieve them—and without creating those problems. You do not know what you are doing on this, Prime Minister. You are all over the place.

**The SPEAKER**—Order! The Leader of the Opposition will direct his comments through the chair.

**Mr BEAZLEY**—The Prime Minister is completely confused. He told his party room today, Mr Speaker, that they should not be—and I quote him, apparently across the airwaves—‘mesmerised by one report’. So what the Prime Minister is saying to his party room is: ‘Don’t worry about the science; worry about the perceptions. It is just a political problem. Wait until next winter and it will go away.’

I want to say a couple of things at the outset of this debate, because not only is this a censure motion; it has the positive proposition that the government ought to commit itself to what we have released in the blueprint we put forward on climate change. We are absolutely fair dinkum about climate change. We will fix this situation for our kids. We will be enthusiastic participants in the international arrangements for this. We will be enthusiastically giving all our potential industries that are capable of exploiting this commercially a go. We are going to be absolutely determined to ratify the Kyoto targets; to set real emissions targets; to estab-
lish an emissions trading system; to invest in renewables, not in reactors; and to fast-track clean coal technology. We are going to do all those things and be good international citizens and good supporters of Australian industry as a result of that.

The simple fact of the matter is this: we are an inventive nation when it comes to the possibilities of renewable technologies. We are an inventive nation when it comes to working through how we make our fossil fuel industries environmentally friendly and emissions-target capable. We are prepared to do that. And we also understand that if we are going to be taken seriously internationally, if we are going to be able to participate in the international trade in this, our companies ought not to have to go under a Fijian flag or somebody else’s flag—a nation which has not only signed up to the protocol but also ratified the protocol—in order to be able to export that excellent product. But that is what the Prime Minister does.

It is an extraordinary thing that those small projects they have announced so far have basically been dependent upon emissions reduction targets set by the states. They have been able to go ahead and they have been economically viable because of what the states have done. If they had relied on what the Commonwealth has been prepared to sign up to this point, none of those projects would have gone ahead. If you take a look at that wonderful achievement of the company that was so proudly announced by the Prime Minister with his minister in China recently, that same company, Roaring 40s, is saying, ‘Actually, we’re going to have to cancel projects in Tasmania and South Australia—projects worth over $500 million—because the Commonwealth will not sign up to additional mandatory renewable targets here.’

All of what I have been saying so far of course relates to jobs, job opportunities, innovation in Australian industry and the rest of it. But you have to take a look at the Stern report to understand fully what is at stake here. It is an extraordinary document. The new thing it presents, off the most modest of the calculations the science now presents to us, is the economics. That is the new thing in the Stern report; the science in the Stern report is not new. What it conveys is this: if all the rest of the globe is as short-sighted as this Prime Minister, if all the rest of the globe is not prepared to step out and take an initiative—and of course it would be desirable that everybody signed up to it, but somebody has to make a start—and if all the rest of the globe adopts that position, we will be facing, on reasonable calculations of the economic effects, the impact on the globe of the combined effects of the two world wars and the Great Depression. What would that do for jobs?

We know what that would do for jobs. We already know something about the economics of this because there are other reports around, including reports that the Prime Minister has received, which say that in all likelihood the impact of these changes of climate on sea levels is going to produce a situation where 90 per cent of the coral reefs of the Great Barrier Reef go and where Kakadu goes, salted up. That is the result, again, of a most modest set of calculations based on the science of global warming. In Queensland that means 200,000 tourism jobs. Heaven knows what it means for tourism jobs as far as the Northern Territory is concerned!

And then we see the calculations that he has. The Stern report is more global, although we do come into its ambit for consideration. We see the calculations about what impact it has on rainfall in this country. The
Prime Minister has got reports which indicate something like a cut of 25 per cent in rainfall in the south-west and south-east corners. Whatever the Prime Minister may think about this, there is a growing conviction amongst our farmers that, while they are experiencing droughts in ways we have experienced them in the past, the intensity, the breadth and the frequency of them have changed. That is what is happening now around this nation. They have changed as a product of forces beyond those which have been immediately calculated with regard to our geography; they have changed as a result of global warming. There would not be a farmer in this nation who disagrees with me, but you cannot resolve the water problems confronting this nation unless you resolve the consequences of global warming. There would not be a farmer in this nation who disagrees with this proposition.

Thanks to this Prime Minister’s shortsightedness, we are already 10 years behind. He has failed our children and our grandchildren. Frankly, this Prime Minister does not have a plan for their future. Why would the Australian people believe him now when suddenly he says climate change is real, when everything that he has been saying—insulting us in this place about it over the last couple of months—is going to be retracted and he will now reposition himself in a slightly different direction, suddenly paying lip-service to the notion of climate change? Everyone in this parliament knows that this Prime Minister’s heart is not in it. Every one of us knows that. That is why he could say things before the political urgency came upon him. People could talk theoretically about what might happen in Australia and the planet 50 years from now—he is not interested in that. Well, the rest of the world is. The rest of the world and the rest of this country is. The rest of this country understands that this Prime Minister’s heart is not in it.

We need decisive national leadership; we do not need this Johnny-come-lately to the climate debate. He has one answer that he brings into this parliament, and that is his answer in relation to nuclear power. Let me make this amply clear: there is neither economic nor environmental requirement for nuclear power in this country. There is no requirement for it. The Prime Minister is dredging up a debate of his youth, from back in the 1960s when it looked like a new and hopeful technology. The Prime Minister is extraordinarily capable of compartmentalising in his mind two different debates as though the two do not interact and the two do not matter.

Right now there is a massive global concern about nuclear proliferation. There is an understanding and a fear around the globe that new nuclear powers—whether or not they say their nuclear systems will be devoted entirely to domestic purposes—will begin a nuclear arms race. There is concern on the part of the United States—

Mr Downer interjecting—

Mr BEAZLEY—You can stand up all you like, foreign minister, and argue the notion that we ought to have uranium enrichment here, but Putin and Bush have simply said: there ought to be no additional enrichment facilities anywhere on earth, because they directly threaten a proliferation regime. They absolutely do. Until we have dealt with issues on the possible extension of nuclear weapons in Iran or North Korea there is a high level of possibility that, if we fail with regard to the non-proliferation target that we seek in North Korea and Iran, the next set of nuclear powers around the Middle East, and likewise in North-East Asia, will all be contemplating the opportunity to develop a nuclear weapon. To be sitting down and talking...
about this, in the circumstances in which we find ourselves, as a serious option is frankly ridiculous. It is ridiculous—

Mr Swan—Irresponsible.

Mr BEAZLEY—and, as my colleagues behind me are saying, irresponsible. It is both ridiculous and irresponsible. It is no solution. It is a solution to start to deal with the opportunities to develop research on clean coal technology. It is absolutely essential that we do that and that we look at the possibilities for gas to liquid conversion and coal to gas conversion. All these things offer very substantial possibilities for us in relation to our coal and gas industries, and we must engage. But if we happen to be signed up and ratifying the Kyoto protocol, if we happen to be at the forefront of dealing with international environmental issues, how much more trusted will we be as a focal point of investment in these areas and as a producer of those technologies? Or are we going to find ourselves in the same position then that we now find ourselves in in relation to our renewables, where projects are shutting down in this country or where those particular firms are badging themselves overseas? To be associated with Australia or operating in Australia finds you no assistance at all, effectively, from the policies of the government, and finds you on the outer because the government is not a ratifying power to Kyoto.

This government is so far away from where this nation now needs to be in dealing with the consequences of climate control. It is so far away from arriving at the solutions that this nation must arrive at both to advance ourselves economically and to protect our people. The public is so far away from this Prime Minister. I happen to be one of the few Labor members who represent a seat which borders the ocean. And I know darn well that, on the projections over the next 20 to 30 years of rising sea levels—on modest assumptions—my constituency will be massively affected. But the truth of the matter is the vast array of those constituencies on the coastline are held by our political opponents. At the next election, your constituents around the shoreline of Sydney, Melbourne and Brisbane ought to think very seriously about what you mean to them.

I see the Prime Minister has just destroyed his chair! Unfortunately, that is a bagatelle compared with the destruction that he is effectively threatening ordinary Australians with by his complete unwillingness to confront reality when it comes to issues of climate change. Once, the Prime Minister had a sensible view. It was a long time ago. That was when the Prime Minister said the Kyoto protocol is ‘a win for the environment and a win for Australian jobs’. Once, the Prime Minister was influenced by sensible points of view on the part of his frontbenchers. John Anderson, former Deputy Prime Minister, said:

... the Kyoto agreement permitting Australia an 8% increase in emissions of 6 greenhouse gases by 2012 over 1990 levels will preserve the interests of farmers, miners, manufacturing industry and the economy in general.

Once, the Prime Minister had the view that he shared with his former Minister for Resources and Energy, who said:

The Kyoto protocol provides a sound basis for protecting Australia’s export competitiveness …

But the Prime Minister has changed. He has had seven different positions since then and two or three different positions in question time today. There is no time to waste. Thanks to John Howard’s short-sightedness we are 10 years behind. He is now paying lip-service to climate change, but his heart is not in it. It never has been; it never will be. He is a Prime Minister obsessed with his past, not Australia’s future. He is a Prime Minister who is a climate change sceptic, despite a
tsunami of science. He does not believe it, and he will not act to protect our future. John Howard is living in denial. His denial is selling out the future of our kids. This is a new challenge and a modern challenge—a challenge that only a future party can meet. We are the future party. (Time expired)

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

The SPEAKER—I remind all members that they should refer to others by either their title or their seats.

Mr Howard (Bennelong—Prime Minister) (3.29 pm)—It is not customary in this place, I suppose, to thank oppositions for moving censure motions, but I do feel like thanking the opposition for having moved this motion. It does give us the opportunity to try to put into proper context the growing debate in this country about climate change. Let me start by replying to the arguments advanced by the Leader of the Opposition. Let me start where I believe any political leader should start in a debate of this kind, and that is with the immediate national interests of our country.

The immediate national interests of our country require us to understand one thing above all else, and that is that the Kyoto model is essentially a product of European thinking, originally conceived to accommodate the interests of European countries. Although it has been extended to include many other countries, we should keep that very much in mind. If those opposite think that is just my invention for the purposes of the debate then I remind them of some words that were uttered on 16 January this year not by the member for Batman on this occasion but by somebody else when he said: ‘Kyoto is basically a European model and it is true that it is flawed. It is not without its difficulties. It is pretty much dead in the water.’ That was the member for Hunter, the opposition spokesman on small business. He is somebody, I might point out, who represents a constituency that has very close links with the resource industry in this country.

So my opening plea to all who are interested in the Australian national interest is to understand that our interests in this debate are not necessarily the same as those of Europeans. They are not necessarily the same as those of Americans and we must understand that, if we do anything in this area that throws away the great natural advantage this country has from its resource sector and all the endowments that it brings, we will be doing a great disservice to the people of this country. We heard a lot from the Leader of the Opposition about our children and our children’s future. Our children’s future is still very much bound up with the economic prosperity of this country and there is nothing more critical at the moment to the economic prosperity of this country than the continued health of the resource industry in this country.

This motion is, of course, brought out of the publication of the report and the analysis by Sir Nicholas Stern. I do not pretend to have read the whole 700 pages. I have, however, read his accompanying press statement. I have read the extensive executive summary and it is very clear that he is of the view, as most thinking people are, that climate change does represent a challenge to the world and there needs to be a multipronged response to it. There is no one single solution and there is no one single response. He also makes it very clear that if the world does not act then the economic consequences in some decades time and certainly by the year 2050 will be very serious indeed. Whether or not you believe his very pessimistic scenario that it will be the equivalent of two world wars and the Great Depression—nobody can prove that; that is just pure speculation on his part—we
can all accept for the purposes of this debate that it is a major challenge.

The question is: what do we do about it in the future? We can debate the sins of omission or commission of the past. We could argue about whether we should have ratified what is now the old Kyoto. The real issue, the real challenge for this nation, for this parliament, for this world in 2006 is to agree on a path forward that has a measurable impact on greenhouse warming. We have to ask ourselves: what is that path forward? I agree with Sir Nicholas Stern that that path forward must involve all nations agreeing to establish a framework that will enable the creation of an international emissions-trading system. I have no argument with that; it makes sense and this government will support an international framework for emissions trading provided it has everybody in it. What can possibly be wrong with that? But I do insist it has to have everybody in it. I am not going to lead a government that sells out the jobs of Australians, sells out the jobs and investment that are so important to our future. Unless we have the world’s emitters in the framework, it will not work. If we sign something that does not have the world’s emitters, we are betraying the interests of all of our resource industries and we are betraying the future of our children.

We keep hearing all this rhetoric from the Labor Party about the Kyoto protocol. The mantra is: ‘Sign the Kyoto protocol and a new dawn will descend on the world. All of our worries will roll away, the clouds will disappear, the world will be a beautiful place and there will be no more global warming.’ The problem with that theory is that it is false. It is false because Kyoto does not include the major emitters. How can an arrangement which does not include the United States, China and India, which account for 50 per cent at least of the world’s emissions, be effective? We are told that if only we ratified Kyoto then we would solve the problem. It does not embrace the major emitters. It has been acknowledged that, if there had been no Kyoto, the greenhouse gas emissions would have risen by 41 per cent but with Kyoto, and with everybody behaving and meeting their target, they would rise by 40 per cent, which is a gain of just one per cent. That does not represent the simple solution.

Let us move on from the old Kyoto. In question time, I coined the phrase ‘a new Kyoto’.

Mr Albanese—Ah!
Mr Beazley—Ah!
Mr Howard—‘Ah,’ they say. Ah! They are excited about the concept of a new Kyoto. I am glad the opposition is excited about a new Kyoto, because the old Kyoto was not the source of any real enthusiasm or any real excitement. What form might this new Kyoto take? To start with, it would include all of the world’s major emitters. What is the bridge that joins Australia to all of the world’s major emitters? It is the Asia-Pacific Partnership for Clean Development and Climate. It includes Australia, it includes the United States, it includes India, it includes China, it includes Japan—

Mr Albanese interjecting—

The Speaker—The member for Grayndler will have his turn in a minute.

Mr Howard—and it brings together all of those countries whose inclusion in a future agreement is absolutely essential if that agreement is to have effect. Clearly, the Asia-Pacific partnership points to the future. Clearly, if we can reach an understanding between all of the world’s major emitters and all of the nations of the world, it is possible to have an international emissions trading system. That is a path forward to which this government is committed.
But, in order to achieve that, we have to understand some realities about the energy situation not only of Australia but of the world. We have a situation at the moment where the cheapest source of power generation is what they call in the trade ‘dirty coal’. It is infinitely cheaper than anything else. If we had no problem with greenhouse gas emissions, Australia would be in the most wonderful position in the world because we have these vast reserves of coal—we are the largest coal exporter in the world—but, unfortunately, it is dirty and we have to do something to clean it up. But, as you clean it up, you make its price higher. If you are going to clean it up, no matter how rapid the technology is, the cost of using coal to generate electricity is going to rise. That is where the word that dare not speak its name in the councils of the Australian Labor Party comes into it—and that is ‘nuclear’. On many of the estimates, the cost of using coal rises as you clean it up, so you reach a point where potentially within the foreseeable future nuclear power could be cheaper than the use, in a cleaner fashion, of fossil fuel.

Are we going to say to ourselves, ‘We deny our nation the opportunity of taking advantage of that?’ You will never—and I have no greater authority on this than the member for Batman—be able to replace power stations, dirty or clean, with solar, wind or wave power. It is just not possible. Baseload power can only be generated in the foreseeable future by the use of fossil fuels or nuclear power. You cannot hope to use renewables in order to do that; so, if you are going to reduce greenhouse gas emissions, you inevitably face a comparison on baseload generation between cleaner coal, which will be dearer, and nuclear power. The point at which those two cross each other is, at this stage, impossible to precisely determine. When we have Ziggy Switkowski’s report, we may have a better idea of where the two relate to each other.

In the end, this country may well face a choice, if it is going to make a contribution to reducing greenhouse gas emissions, about whether it does go down the nuclear path as well as the cleaner fossil fuel path—acknowledging all the while that renewables can make a contribution at the margins. I have never argued to not have renewables. All I am saying is that they can assist in peaks and at the margin but they cannot replace baseload power generation, which at the moment is done by dirty coal and in the future will be done either by clean coal or by nuclear. They are the choices. Stripped of all the verbiage, ranting and raving and rhetoric that has come from the other side, they are the choices we face.

We are in favour of reducing greenhouse gas emissions. To do that, we have to clean up coal and, as you clean up coal, you make it dearer and, as you make coal dearer, you make nuclear power economically more feasible. Do not say nuclear power cannot be considered. Sixteen per cent of the world’s electricity is generated through nuclear power. Nuclear power is a given in the nations of Europe. The idea that this country, the holder of the world’s largest reserves of uranium, would set its face against nuclear power is beyond comprehension. It is beyond my comprehension and it is also beyond comprehension to the member for Batman, who brings to this debate the credential of speaking from the heart when it comes to the working men and women of Australia. He knows that there are jobs at stake in this debate. He knows that if a mistake is made on this issue then the people the Labor Party used to represent, but no longer do as effectively as we do, are going to pay a very heavy price.
Let us strip this debate of all the noise and all the talk about who is for the future and who is part of it and who is against it and who believes in it and who does not believe in it and just understand the essence of this debate. This debate is about reducing greenhouse gas emissions in the future. It is about slowing the rate of climate change. It is about getting all of the nations involved because without having all the nations involved we will not get an outcome. That is what Sir Nicholas Stern said. He said a lot of other things, but that is in essence what Sir Nicholas Stern said.

Where does Australia come into that? We enter this debate with this enormous God given endowment of fossil fuels, this great resource that we have been given by providence. Are we going to throw that way? Of course we are not going to throw it away; we are going to sensibly reduce the greenhouse gas emissions and, as we clean up the coal, reduce the emissions and invest in the technology, eventually we are going to reach a point where we are going to have to look at the big N option, because in reality the big N option is part of it.

I simply say yes to an international agreement that includes everybody. That can be the framework for an international emissions-trading system. I say no to the old failed Kyoto because it did not include the world’s major emitters. I certainly would say yes to a new Kyoto because a new Kyoto could only be on the basis that it has everybody in it. If everybody is in, I am prepared to lead Australia in. But I am not going to lead Australia into an agreement that is going to betray the interests of the working men and women of this country and destroy the natural advantage that providence gave us. (Time expired)

Mr ALBANESE (Grayndler) (3.44 pm)—I second this censure motion and say that this is indeed a debate about leadership. Never before in human history have we seen a fossil flip-flop. During question time those opposite said that I wanted to get rid of fossil fuels. Well, there is one fossil I want to get rid of—and he, the Prime Minister, just spoke in the debate—because he is an impediment to the action that is required if we are going to avoid dangerous climate change.

Let us have a look at what we saw today. We saw at least seven different positions put by the Prime Minister between two o’clock and a quarter to four this afternoon. We saw a Prime Minister struggling for relevance in a debate about the future, because he is stuck in the past. He does not have the courage to show the leadership that is necessary, not just for this generation but for generations to come. This is a Prime Minister who has been in the job for too long. He has changed. On 19 December 1997 he described the Kyoto protocol as a win for the environment and a win for Australian jobs. That was consistent with statements from John Anderson, Warwick Parer and Robert Hill, the last Minister for the Environment who actually was prepared to stand up for the environment. On 30 March 2000, at the Australian Financial Review’s Third Annual Emissions Conference, after the release of a discussion paper in 1999 calling for a national emissions scheme, Robert Hill said:

There are those who foolishly believe that Australia has something to win by derailing the Kyoto Protocol.

Well, we know who the fool on this hill is. He sits opposite there and he is unable to make the decisions that are necessary. Today is a historic day. The Stern report is a comprehensive analysis of the economics of climate change, of what will occur if we take action and of what will occur if we do not take action. It makes three main points. The first is that you need to be a part of the international agreement and, as it highlights, that
international agreement is the Kyoto protocol. Today we heard a change in the rhetoric. The Minister for Foreign Affairs discovered climate change two weeks ago, according to the Sydney Morning Herald, even though he was the foreign minister when we signed Kyoto. We heard him refer to the second commitment period of the Kyoto protocol which was undertaken in Montreal at the international climate change conference last year. By consensus, the international community—at that stage, 158 nations, now 165, that have ratified the Kyoto protocol—every single nation in the industrialised world except for Australia and the United States, agreed to begin the discussions for the second commitment period post 2012.

We are establishing the biggest global market in the world, the carbon-trading market. But what do the government say—the government that are allegedly committed to the operation of the market? They do not want a bar of it. They want command economy style solutions. They will provide up-front funding for one-off projects, but one-off projects will not be enough. You need to harness the power of the market if you are going to be able to deliver whole-of-government solutions to address climate change—and that is the key of the Stern report. Recommendation 2 of the Stern report says that emissions trading is the key and that you need to move to an international emissions-trading scheme.

What is happening at the moment? You have a European trading system off and running, you have the north-east states in the US establishing an emissions-trading system, you have California establishing an emissions-trading system and you have discussions taking place right now between Europe, Japan and the north-east states of the US about linking those systems so that you build a bigger market and get the technological change through. We are not a part of it. In two weeks time when the conference of the parties meets in Nairobi there will be two parts of the conference. The first will be the UN section, the UN Framework Convention on Climate Change, and we will be there. The second will be the meeting of the parties to the Kyoto protocol, which will discuss the architecture of the post-2012 system of the most important economic driver in the global economy, but we will not be represented at the table. Now, if you are the United States, if you are 25 per cent of the world economy, maybe you can get away with that. But, Prime Minister, for Australia it is a complete abrogation of responsibility. That is the second point that was made.

The third point that the Stern report makes is about technology. You need technology transfer. Everyone agrees with that. How do you get that technology transfer? You need market based mechanisms. It clearly identifies that is the case, and in practice in question time today we saw the evidence of why that is necessary. We had a question from the member for Throsby about the Roaring Forties project opened in China, which the Minister for the Environment and Heritage was happy to open. He did not put it in the press releases that it was being funded under Kyoto, but it was a project that was backed 100 per cent by the clean development mechanism of Kyoto. They talk a lot and they essentially blame India and China—it is all those poor countries. I am waiting for them to blame Tuvalu and Kiribati for their sinking! It is an offensive position. They are all international agreements. What has occurred under every significant UN agreement is that the industrialised world takes the lead. We created the problem; we have a responsibility to show leadership.

It was always envisaged that the second commitment period would involve the developing world. But how do you integrate them into the system? You do it through the
clean development mechanism of Kyoto. And here is what Stern says:
The Clean Development Mechanism is currently the main formal channel for supporting low-carbon investment in developing countries …

Game, set and match. There is $133 billion worth of projects approved already under the clean development mechanism of Kyoto and Australia cannot participate in it. The Roaring Forties company, a Tasmanian based company, had to enter into a joint venture with a Chinese company—51 per cent Chinese owned, 49 per cent Australian owned—in order to get access to CDM. What Roaring Forties say—and I have spoken to the CEO and Roaring Forties representatives—is that if it was not funded under Kyoto it simply would not have proceeded. If you are a wholly Australian based company, because of Australia’s isolation you are being forced to go offshore, just as Pacific Solar and other Australian companies are registering in New Zealand and Fiji so they can get access to these market based mechanisms.

All three major points in the Stern report are absolutely consistent with the leadership shown by the Leader of the Opposition when he launched the climate change blueprint in March this year. We have been ahead of this game and the government have just been playing catch-up. Why? Because they simply do not believe it. Now in the lead-up to an election campaign we are seeing these one-off announcements. The low-emission technology fund was created by the white paper in June 2004. What happened? For almost 2½ years was one cent of this fund spent? No, because we know that this is a government that only spends money in an election year because it is all about the politics, not about the policy. It is all about the Prime Minister’s past, not about what is needed for the future. Solar Systems in Victoria have said that, unless the Bracks Labor government is re-elected in Victoria and the Victorian renewable energy target is maintained, that project might not be able to proceed. That is consistent with what we have seen with the collapse of the renewables industry in Australia.

The Prime Minister is obsessed by reactors—they are his one solution. He will not say where they will go. He will not say where the waste will go. This is a virtual debate; you can have a nuclear industry without any reactors or without any waste. We will not let him get away with it. We will be arguing for renewables, not reactors. We have seen a tragic collapse at the same time as we are seeing the emergence of a trillion-dollar world industry in renewables. What was the percentage of solar in 1996 when we left office? I will tell you. Australia had 10 per cent of the world market—one in 10. What is it now? It is two per cent of the world market.

China, which the government criticises, is spending $9 billion on renewables. China, which the government uses as an example, is moving forward. More than half of the world’s solar hot water systems are in China. What was happening in Australia while the Stern report was being released? We were having a debate in this parliament about the major piece of environmental legislation that exists at the Commonwealth level—the Environment Protection and Biodiversity Conservation Act. There were more than 3,000 amendments, over 409 pages, to that act. Do you think climate change got a guernsey anywhere in the act, in the amendments, in the explanatory memorandum, in the debate? Not a word.

We moved amendments to the legislation to include the objective in Commonwealth environmental legislation of avoiding dangerous climate change. It should be objective No. 1. This mob voted against it. We even separated out the amendments to make it
easy for them. They did not have to adopt the sorts of measures that are needed—a climate change trigger in the act and other draconian changes they were pushing through. We made it easy for them. It was a very simple amendment to acknowledge that climate change was the most important challenge facing us in terms of environmental issues.

Of course, we know that the Stern report bells the cat. It is not just about the environment; it is about our economic future. What does the Stern report say about that future? It says that we are facing a 20 per cent loss in global GDP. It says that we are facing the losses of two world wars and a great depression—a great depression just like the last one but with much worse weather. That is what we are facing if we adopt the path that this mob want—the path of inaction, the path of inertia, the path to the past. We see this continually in the quotes from the government. In September the Prime Minister said, ‘I’m not interested in what might theoretically happen in 50 years time.’ I have to say that was topped by the member for Dawson today. The member for Dawson showed that she lives not in the last century but in the one before. She said:

Economists there—
in the United States—
were worried that the whole of America, because they were using horse-drawn carriages, was going to be covered in about three feet of you-know-what.

I tell you what: there might be a lot of you-know-what if we do not take action on climate change. But it will not be because of the horses; it will be the responsibility of the Howard government. I conclude by issuing a challenge to the industry minister, because the government’s rhetoric continually changes. Did you hear emissions trading described as a tax by them today? They changed position: it is no longer a tax. Their position changed between The World Today debate I had with the environment minister at 12 o’clock and later today. They know their position is intolerable. They are poll driven rather than being driven by the science and the economics. (Time expired)

Mr IAN MACFARLANE (Groom—Minister for Industry, Tourism and Resources) (3.59 pm)—What an astounding address that was: based on fear, as we are so used to from the Labor Party, and based on exaggeration—

Ms George—Answer the arguments!

Mr IAN MACFARLANE—I certainly will, and I have something special for you too. It was based on exaggeration, based on fear, based on the worst-case scenario if Australia does nothing—based on the worst-case scenario if the world does nothing. It is all about the Labor Party jumping to Kyoto and jumping to carbon trading before they even have solutions. It is all about the Labor Party living in the past with Kyoto, which is already destined to be remembered as a protocol which did not deliver significant reductions in greenhouse gas emissions. The reality is that the Labor Party continue to pretend that Australia is being left out. Can I just correct the record: Australia is at the centre of discussions in relation to reducing greenhouse gas emissions. The promoters of the Stern report met with Australia when I was in Monterrey, Mexico six weeks ago and highlighted the fact that Australia had a lot to offer. You do not have to take my word for that. You can quote Margaret Beckett, who said of Australia this morning on AM:

They certainly were involved in the wider conference that has become the Gleneagles dialogue. And played quite a major role there.

I cochaired the session with the Minister for Trade and Industry from the United Kingdom, Malcolm Wicks. If that is being ‘left out’, I cannot believe that the member for
Grayndler could make such an outrageous and preposterous suggestion. Australia is involved in this process.

The Leader of the Opposition says he is going to fix it. He is going to fix it for the member for Cunningham; he is going to fix it for the member for Charlton; he is going to fix it for the member for Hunter, when he is not thrown out of this chamber; he is going to fix it for the member for Capricornia; and he is going to fix it for the member for Newcastle.

Ms George interjecting—

Mr IAN MACFARLANE—The member for Dawson is opposing that and supporting the people in her electorate who derive an income from the coal industry and the steel industry. The people who are going to fix this are those in the Howard government. The reality is that the government is doing something about lowering emissions in Australia. The government agrees that there are real issues to be dealt with and there are real challenges to be overcome. But who has laid out the clear, well-enunciated strategy on dealing with this?

We get more from the opposition. Yesterday, the member for Grayndler sat in his seat—continually interjecting as he always does—and pointing the finger and saying that we, the government, are doing nothing. What sort of suggestion is that? What sort of suggestion can ignore the energy white paper handed down in June 2004—more than two years ago—which is a clearly enunciated policy, or ignore the fact that Australia has seen 58 per cent economic growth while at the same time the government has put in place emission-lowering policies which have seen emissions rise by only 2.3 per cent? By any measure, this white paper and the government actions that go with it are extensive responses to the lowering of greenhouse gas emissions.

In our suite of programs there is a $123 million expansion and extension of the Renewable Remote Power Generation Program, a $100 million Renewable Energy Development Initiative, a $75 million Solar Cities program, a $51.8 million Photovoltaic Rebate Program, a $20 million advanced electricity storage initiative and a $14 million advanced wind-forecasting capability. Coming after this and on top of all of those things is the centrepiece: a $500 million Low Emissions Technology Demonstration Fund. When you add that all up, you are approaching $1 billion. If you add to that the specific programs run out of the Department of the Environment and Heritage by my colleague Senator Ian Campbell, that brings you to almost $2 billion. The Asia-Pacific Partnership on Clean Development and Climate is a partnership which could do more—in fact, 26 times more—to lower greenhouse gas emissions than Kyoto; modelled by ABARE, the AP6 approach could in fact see global emissions reduced by up to 26 per cent by 2050.

This is about a partnership. It is about involving the large emitters of the world. It is about involving countries like the United States. It is about involving countries like China. It is about involving countries like India. It is about involving countries like Japan and Korea. With those countries, Australia has not only a very strong and important role to play but also a trade relationship that it needs to be mindful of. We are in a situation where the Labor Party are trying to claim some sort of inaction by the government, and yet here you have $2 billion worth of policies costing, announced in the budget, backed up by a white paper, backed up by the conference that we saw at the beginning of this year, the Asia-Pacific partnership. These are real programs achieving real gains in reducing emissions while the Labor Party cling like men at sea on a life raft to Kyoto.
If we are going to have a meaningful answer to global emissions, we need to have the technology to do it.

The second mistruth promoted by the Labor Party is that we have somehow fallen behind in technology. We have lost a decade or more, they say, in lowering greenhouse gas emissions. Let us just get a few facts on the table in this regard. Australia has double the renewable energy percentage that the United Kingdom has—as admitted this morning by David Miliband on AM. Our percentage of renewable energy is eight per cent. On the UK’s percentage, David Miliband admitted on AM this morning:

... our current level is four per cent, so you can draw your own conclusions.

Secondly, in terms of the meetings that Australia is having at the moment, countries like the UK and including—

Mr Albanese interjecting—

Mr IAN MACFARLANE—Sorry, what was that?

Mr Albanese—Are you going to the meeting of the parties to Kyoto?

Mr IAN MACFARLANE—Mr Speaker, the member for Grayndler interjects, as is his wont.

The SPEAKER—I think he was encouraged.

Mr IAN MACFARLANE—It would be the first time he has been encouraged today, and not the first time he has interjected. In terms of the G8-plus meeting, not only did I cochair the meeting of the ministers but I also met afterwards with Sir Nicholas Stern and with Sir David King. What did they want to talk to me about? Two key issues. The first one was how we were proceeding with the public-private partnerships, the public-private partnerships that will ensure the development of low-emission technology. He recognised, even though the Labor Party pretends it does not exist, the important role that industry will play in solving the low-emissions technology challenge. He recognised that Australia will in fact lead the world in public-private partnerships. The Minister for Trade and Industry, Malcolm Wicks, said to me, ‘That Low Emissions Technology Demonstration Fund is a great idea; we’re thinking about that.’ We are already doing it. We are already rolling out a $500 million fund. We are already investing with industry in the solutions to greenhouse.

We are already seeing the $250 million that the taxpayers have invested in lowering emissions being not matched by industry, not matched twice over by industry, but matched five times over by industry. While the Labor Party tries to claim, in their pretence, that we are not doing anything, we are seeing industry and government combined in $1.5 billion worth of projects to lower greenhouse gas emissions. And that is just the start, as we move forward on this challenge.

I heard the Leader of the Opposition beginning to give this House a lecture on drought. He may be a knowledgeable man but, until I see some evidence that he knows anything about drought, I can assume his comments today were simply aimed at pulling at the heartstrings of farmers who are experiencing an extraordinary circumstance. Can I say to those farmers: don’t be misled. Don’t be betrayed by this man—signing Kyoto will not break the drought; signing Kyoto will not lower emissions by more than half a per cent. Most of the countries that are signatories to Kyoto will not reach their targets.

An interesting point comes from that. Let us have a look at the countries that will reach their targets. Let us have a look at countries that have more than one per cent of the world’s emissions and that are judged as meeting their Kyoto targets: Russia, Poland, France and the United Kingdom. What do
those countries have in common? They will all be nuclear electricity generators. There is one other country on that list: Australia. We are here today having a debate about low emissions, the need for technology and the need to lower our global emissions, and the Labor Party’s last pretence is that nuclear power is not part of the solution. They sit there and say, ‘It doesn’t matter what everyone else in the world is doing; we don’t want to do that.’ That is just after the member for Grayndler and the Leader of the Opposition have said, ‘Whatever the Europeans tell us to do, we have to do, but don’t talk about nuclear.’ The member for Batman talks honestly—

Ms George—Talk about MRET for a change.

Mr IAN MACFARLANE—I will talk about MRET if I have time: $5 billion worth of cross-subsidy from industry, $3 billion worth of investment going on as a result of MRET. I am happy to talk to you about MRET, but let’s go back to the issue of nuclear energy. Australia needs to consider nuclear energy as an option. The Leader of the Opposition can stand up there and talk about Kyoto—and, most recently, throw in carbon capture and storage—but when we put all our technologies together you cannot leave out the one proven technology that generates baseload electricity without emitting CO₂. That is the harsh reality.

What we have in Australia under the Howard government is a set of policies designed to not only meet our Kyoto target, to not only participate if there is a global scheme following Kyoto, but also ensure that, while the debate goes on about how we establish a global scheme, we are putting in place practical measures that will lower greenhouse gas emissions, practical measures that see industry partner with government to ensure that Australia continues to lead the world in technologies like building the largest solar electricity generator in the world—which, as its own promoter, David Holland, said in his own words last week, would never have happened without the Low Emissions Technology Demonstration Fund. Whether we ever see the technologies developed that rely on further investment by industry will depend on the continuation of this government. (Time expired)

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

The House divided. [4.18 pm]

(The Speaker—Hon. David Hawker)

Ayes…………… 58
Noes………….. 81
Majority……… 23

AYES

Adams, D.G.H. Albanese, A.N.
Andren, P.J. Beazley, K.C.
Bevis, A.R. Bird, S.
Bowen, C. Burke, A.E.
Burke, A.S. Byrne, A.M.
Corcoran, A.K. Crean, S.F.
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.
Geoghegan, S. George, J.
Gibbons, S.W. Grierson, S.J.
Griffin, A.P. Hall, J.G. *
Hatton, M.J. Hayes, C.P.
Hoare, K.J. Irwin, J.
Jenkins, H.A. Kerr, D.J.C.
King, C.F. Livermore, K.F.
Macklin, J.L. McClelland, R.B.
McMullan, R.F. Melham, D.
Murphy, J.P. O’Connor, B.P.
O’Connor, G.M. Owens, J.
Pilcher, T. Price, L.R.S.
Quick, H.V. Ripoll, B.F.
Roxon, N.L. Sawford, R.W.
Sercombe, R.C.G. Smith, S.F.
Snowdon, W.E. Swan, W.M.

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

The SPEAKER—Order! The member will show where she has been personally misrepresented.

Mrs DE-ANNE KELLY—Mr Speaker, my assertion was absolutely correct, and I quote from a frontbencher in the Labor Party who said—

The SPEAKER—The member has only to show where she has been misrepresented. She has done that. As there is not any further point that the member wishes to make, the member has made her personal explanation.
partment of Parliamentary Services for 2005-06.

Ordered that the report be made a parliamentary paper.

AUDITOR-GENERAL’S REPORTS
Report Nos 9 and 10 of 2006-07


Ordered that the reports be made parliamentary papers.

DOCUMENTS

Mr ABBOTT (Warringah—Leader of the House) (4.27 pm)—Documents are tabled as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings and I move:

That the House take note of the following documents:
Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2006.
Remuneration Tribunal—Report for 2005-06.

Debate (on motion by Mr Albanese) adjourned.

AUSTRALIAN CITIZENSHIP BILL 2005
AUSTRALIAN CITIZENSHIP (TRANSITIONAL AND CONSEQUENTIAL) BILL 2005
PRIVACY LEGISLATION AMENDMENT (EMERGENCIES AND DISASTERS) BILL 2006
JUDICIARY LEGISLATION AMENDMENT BILL 2006

Referred to Main Committee

Mr BARTLETT (Macquarie) (4.28 pm)—by leave—I move:

That the bills be referred to the Main Committee for further consideration.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE
Climate Change

The SPEAKER—I have received a letter from the honourable member for Grayndler proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The need for strong Government leadership to address the real and present threat posed to Australia’s economy and environment by dangerous climate change.

I call upon those members who approve of the proposed discussion to rise in their places.

More than the number of members required by the standing orders having risen in their places—

Mr ALBANESE (Grayndler) (4.28 pm)—Mr Speaker—

Mr ABBOTT (Warringah—Leader of the House) (4.29 pm)—I move:

That the business of the day be called on.

Question agreed to.
Mr CAUSLEY (Page) (4.29 pm)—I present the report of the Selection Committee relating to the consideration of committee and delegation reports and private members’ business on Monday, 27 November 2006. The report will be printed in today’s Hansard and the items accorded priority for debate will be published in the Notice Paper for the next sitting.

The report read as follows—

Report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 27 November 2006

Pursuant to standing order 222, the Selection Committee has determined the order of precedence and times to be allotted for consideration of committee and delegation reports and private Members’ business on Monday, 27 November 2006. The order of precedence and the allotments of time determined by the Committee are as follows:

COMMITTEE AND DELEGATION REPORTS

Presentation and statements

1 AUSTRALIAN PARLIAMENTARY DELEGATION VISIT TO THE 26th AIPO GENERAL ASSEMBLY, LAOS AND BILATERAL VISIT TO PAKISTAN

Report of the Parliamentary Delegation to the 26th AIPO General Assembly, Laos and Bilateral Visit to Pakistan—17-30 September 2005

The Committee determined that statements on the report may be made—all statements to conclude by 12:40pm

Speech time limits—
Each Member—5 minutes.
[Minimum number of proposed Members speaking = 2 x 5 mins]

2 AUSTRALIAN PARLIAMENTARY DELEGATION VISIT TO MOROCCO AND ALGERIA AND TO THE 52ND COMMONWEALTH PARLIAMENTARY CONFERENCE, NIGERIA


The Committee determined that statements on the report may be made—all statements to conclude by 12:50pm

Speech time limits—
Each Member—5 minutes.
[Minimum number of proposed Members speaking = 2 x 5 mins]

PRIVATE MEMBERS’ BUSINESS

Order of precedence

Notices

1 Mr B. P. O’Connor to move:
That the House:
(1) recognises the enormous hurt to Australian working men and women owing to the enactment of the WorkChoices legislation;
(2) recognises the extraordinary contribution of Australian rural and regional workers to their communities and the national economy;
(3) recognises the particular damage to employment conditions and employment prospects in rural and regional Australia;
(4) takes immediate action to restore protection for employment conditions and employment prospects in rural and regional Australia; and
(5) takes note of the Howard Government’s agenda to remove employment conditions and employment security, particularly in regional and rural Australia. (Notice given 16 October 2006.)

Time allotted—30 minutes.

Speech time limits—
Mover of motion—5 minutes.
First Government Member speaking—5 minutes.
Other Members—5 minutes each.
Mr Johnson to move:

That the House supports the Australian Government’s policy of:

1. remaining unequivocally committed to the Iraqi people’s aspirations to be a democratic and free society, with the continuing presence of Australian Defence Force personnel; and
2. standing completely resolute against non-state actors determined to commit (directly or indirectly) acts of terror and violence against free peoples and free societies. (Notice given 18 October 2006.)

Time allotted—remaining private Members’ business time prior to 1.45 pm

Speech time limits—

Mover of motion—5 minutes.

First Opposition Member speaking—5 minutes.

Other Members—5 minutes each.

Ms A. E. Burke to move:

That the House:

1. notes that:
   a. eating disorders—anorexia nervosa, bulimia nervosa, binge eating disorder and related disorders—are not illnesses of choice, but rather life-threatening mental disorders;
   b. anorexia is the third most prevalent chronic illness in adolescent girls after obesity and asthma and has one of the highest mortality rates of any psychiatric disorder;
   c. one in 20 Australian women has admitted to having suffered an eating disorder; and
2. expresses serious concern about recent reports that eating disorders are on the increase, especially among school-aged children;
3. condemns the lack of government funding for the prevention and treatment of eating disorders; and
4. urges the Government to:
   a. convene a national summit on body image to develop a national code of conduct to ensure the media, fashion industry and advertisers portray a healthy and diverse range of men and women; and
   b. become a signatory to the Worldwide Charter for Action on Eating Disorders, which calls on those responsible for policy to educate and inform the community with programs that:
      i. de-stigmatise eating disorders and raise awareness of the causes of eating disorders;
      ii. increase public awareness of the signs and symptoms of eating disorders;
      iii. make available comprehensive information about eating disorder services and resources;
      iv. connect with the media to provide accurate information on eating disorders and to help shift the culture’s perspective on body image issues and weight and food issues;
      v. develop and implement effective prevention programs targeting schools and universities;
      vi. educate and train health care practitioners at all levels in the recognition and treatment of eating disorders to improve the quality of care;
      vii. provide sufficient specialist services based on regional need;
      viii. provide people with access to fully-funded, specialised treatment and care; and
      ix. fund research into eating disorders. (Notice given 12 September 2006.)

Time allotted—30 minutes.
Speech time limits—
Mover of motion—5 minutes.
First Government Member speaking—5 minutes.
Other Members—5 minutes each.
[Minimum number of proposed Members speaking = 6 x 5 mins]
The Committee determined that consideration of this matter should continue on a future day.

4 Mrs May to move:
That the House:
(1) recognises that:
   (a) 23 percent of women who have ever been married or in a de facto relationship have experienced violence by a partner at some time during the relationship;
   (b) the immediate impacts for children of victims include emotional and behavioural problems, lost school time, poor school performance, adjustment and relationship problems;
   (c) child abuse is more likely to occur in families experiencing domestic violence; and
   (d) children of victims are also at risk of continuing the violence with their own children and partners and are at heightened risk of alcohol and drug abuse and delinquency later in life;
(2) also recognises that:
   (a) the social, health and psychological consequences of domestic violence have far-reaching and longstanding negative impacts on families who suffer from domestic violence and on the community as a whole; and
   (b) there is no excuse for violence and abuse;
(3) calls on the Government to:
   (a) establish a National Domestic Violence Death Review Board;
   (b) establish a National Committee on Violence Against Women; and
   (c) increase efforts in the area of primary prevention; and
(4) calls, on a bipartisan level, for a more coordinated and sustained approach to be undertaken by all levels of government in the area of domestic violence. (Notice given 19 October 2006.)

Time allotted—remaining private Members’ business time.

Speech time limits—
Mover of motion—5 minutes.
First Opposition Member speaking—5 minutes.
Other Members—5 minutes each.
[Minimum number of proposed Members speaking = 6 x 5 mins]
The Committee determined that consideration of this matter should continue on a future day.

Procedure Committee Report

Mrs May (McPherson) (4.30 pm)—On behalf of the House of Representatives Standing Committee on Procedure I present the committee’s report entitled Maintenance of the standing and sessional orders: Second report—Review of sessional orders adopted on 17 March 2005 and 9 February 2006; and other matters, together with the minutes of proceedings.

Ordered that the report be made a parliamentary paper.

Mrs May—by leave—This report, the second by the Standing Committee on Procedure on the maintenance of the standing and sessional orders, deals with two sets of sessional orders that have been in operation for some time now. The first, comprising sessional order 77, and second, the suspension of standing order 100(f), relate to the anticipation rule and they were put in place in March 2005. In effect, these changes abolish the application of the rule from question time and restrict the application of the rule at other times to substantive debates. The original intent was that these changes would operate for the remainder of this parliament, but the committee decided that 18 months
was long enough for it to evaluate their operation. The new arrangements have proven to be non-controversial and have allowed for debate to proceed freely, and the committee has therefore recommended their permanent adoption.

The report also evaluates sessional orders adopted by the House on 9 February this year. They cover:

- revised arrangements for committee and delegation reports, whereby they can be referred to the Main Committee for further debate later on the Monday that they are tabled in the House;
- ensuring that members’ three-minute statements in the Main Committee proceed for the full 30 minutes, regardless of whether there is an interruption due to a division in the House;
- providing the chair of the Main Committee with another option in dealing with disorder should it arise, other than having to adjourn the Main Committee and report the matter to the House; and
- setting a limit of 30 minutes for debate on dissent motions.

All of these sessional orders are in place until the end of this year, when they will lapse unless action is taken. The committee supports the continuation of all of these as permanent standing orders, as these changes have proved to be common-sense initiatives and have not attracted any adverse comments from members.

The provision of additional speaking time on committee and delegation reports in particular has worked extremely well. So far, 14 reports have been debated on Monday afternoons in the Main Committee for a total of six hours and 26 minutes, and 38 members made use of this opportunity. The committee expects to see increasing use of this mechanism as committees come to appreciate the opportunity it provides for wider debate on the actual day of tabling than would otherwise be possible in the limited time available in the House.

In examining these sessional orders, the committee has also made some additional recommendations. The first is to allow for automatic removal of committee and delegation reports from the Notice Paper after a period of eight sitting Mondays. This mirrors arrangements currently in place for private members’ business.

The second recommendation proposes a new option for tabling of delegation reports, which would see them presented to the Speaker at any time, and thus deemed to have been presented to the House. Such reports would then bypass the chamber and be listed automatically for debate on the next sitting Monday in the Main Committee. Although delegation reports only account for a small percentage of the total number of reports presented on Mondays, this option would result in some saving of time in the chamber that might then be used for private members’ business. The committee has proposed that this option be available for delegation reports on a trial basis from the start of 2007.

The report also addresses three other comparatively minor matters:

- the current requirement for the Clerk to make a formal announcement if the Speaker is absent at the start of a sitting (standing order 18);
- formalising the presentation of explanatory memorandums to private members’ bills without the need to seek leave (standing order 41); and
- clarifying in the standing orders that a member seated in the Serjeant-at-Arms’ seat during a division is entitled to have their vote counted.
I hope the House will look favourably on each of these recommendations made by the committee, as we believe that they are sensible changes to the standing orders. In conclusion I would like to thank members of the committee—I notice my deputy chair, the member for Banks, is here in the House and I thank him for his support—and of course the secretariat for their continued hard work on the Procedure Committee. I commend the report to the House.

Mr MELHAM (Banks) (4.35 pm)—by leave—I am pleased to be able to speak to this report of the Standing Committee on Procedure. It is the second report by the committee as part of its ongoing reference into the maintenance of the standing and sessional orders. The report covers quite a number of issues, as the chair, the member for McPherson, has indicated. I would like to focus on two of these today: the presentation of committee reports and the setting of time limits for dissent motions.

As the chair indicated in her contribution, this year saw the introduction of new arrangements for debating committee and delegation reports once they had been presented in the House on a Monday. The Procedure Committee’s November 2005 report, Procedure relating to House committees, responded to the complaints of members about the limited time in the House and Main Committee for the presentation of and debate on committee reports. Generally only the chair and deputy chair had the opportunity to speak when a report was tabled in the House, and then for only five minutes each. When a report was referred to the Main Committee for further debate there was often a significant time lag. Given the amount of time and effort that members put into their committee work, it was disappointing that so little opportunity for debate on the report was possible. The Procedure Committee therefore proposed a number of sessional orders to allow for referral of committee reports to the Main Committee on the day they were presented in the House. Anyone wishing to speak to the report could each have 10 minutes speaking time. Those sessional orders were adopted by the House on 9 February 2006 and have now been evaluated by the committee.

As the chair indicated, the response has been encouraging, with 38 members speaking in the Main Committee on Monday afternoons on committee and delegation reports. Not all reports have been referred to the Main Committee in this way—it is a matter of judgement for each committee to decide whether the nature of the report merits such a referral. However, the changes have increased the number of people able to debate a report and that is a positive development.

I note that, in the submission from the Clerk on this matter, he had noted some signs among members of lack of familiarity with arrangements. Detailed instructions have been issued to committee secretaries advising them of the new arrangements. However, when all is said and done, it is up to members to support these arrangements, put their names on speakers lists and encourage the referral of their committee reports to the Main Committee.

I would now like to turn to another sessional order that has been trialled this year, providing for specific time limits for debates on dissent motions. The mover and next member speaking each were allocated 10 minutes, and any other members five minutes, with a total limit on the debate of 30 minutes. As the report notes, prior to adopting this sessional order there was no provision for termination of a dissent debate, other than there being no more speakers or the moving of a closure motion, and the use of closure motions was very common.
There have been two dissent motions moved since the sessional order was adopted. In the first instance, three closure motions were moved. In the second instance, some debate was possible before a closure motion on the question was moved.

The committee would like to see members have an opportunity to set out the arguments in support of and against the particular ruling under dispute, without premature curtailment through the use of closure motions. The committee did consider whether dissent motions should be exempt from closure motions, but was not in favour of this at present. The committee has recommended that the time limits for dissent motions be made permanent standing orders, and will continue to monitor their operation.

I would like to thank the Chair of the Procedure Committee, the member for McPherson, for her hard work and cooperative approach to running the committee, and my colleagues on the committee for their hard work. This report covers a wide range of matters, there is unanimous support for its recommendations among committee members and I commend the report to the House.

Mrs May (McPherson) (4.39 pm)—I move:

That the House take note of the report.

The Deputy Speaker (Mr Jenkins)—In accordance with standing order 39(c), the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting.

AGED CARE AMENDMENT (RESIDENTIAL CARE) BILL 2006

Debate resumed from 17 October.

Second Reading

Mr John Cobb (Parkes—Minister for Community Services) (4.39 pm)—On behalf of the Parliamentary Secretary to the Minister for Health and Ageing, I present the explanatory memorandum to this bill and move:

That this bill be now read a second time.

The Aged Care Amendment (Residential Care) Bill 2006 proposes a number of amendments to the Aged Care Act 1997 (the act). The bill gives effect to changes to the treatment of income streams and assets that have been disposed of under the assets test for entry into permanent residential aged care. The bill also clarifies current delegation practices in relation to aged-care assessment teams.

Since coming to office in 1996, the Howard government has worked consistently to ensure that older Australians needing long-term care have access to a high-quality and affordable aged-care system capable of meeting their needs and preferences.

This bill brings the treatment of gifting and income streams for aged-care assets testing purposes into line with their treatment for pension assets testing purposes, as announced in the 2006-07 budget. This builds on the government’s changes to streamline administration in aged care that responded to the recommendations of the 2003-04 Review of pricing arrangements in residential aged care.

The changes are designed to simplify the interaction of the aged-care and pension arrangements for greater transparency and to facilitate wise financial planning for older Australians. They will also improve the sustainability of the aged-care financing arrangements.

Currently, assets gifted by prospective residents are excluded from assessment for aged-care assets testing purposes but are included in the pension assets test and such gifts can reduce the amount of age pension received. The current arrangements apply until 1 January 2007 and therefore people entering or moving between residential aged-
care homes up to and including 31 December 2006 will not be affected.

People who enter residential aged care or move to another aged-care home from 1 January 2007 and who seek an assets assessment through Centrelink or the Department of Veterans’ Affairs will have any gifts they have made from 10 May 2006 that exceed the allowable amounts included in that assessment.

The allowable amounts are those that currently apply for the pension asset test as well as for pension and aged-care income assessment purposes—$10,000 in any financial year or $30,000 over five years.

Currently complying income streams are fully exempt from the aged-care assets test. The government has listened to feedback from consultation with stakeholders and this exemption will now continue for all complying income streams purchased prior to 20 September 2007.

This bill also amends the act to allow for the Secretary to the Department of Health and Ageing to delegate to members of the aged-care assessment teams (ACATs) the secretary’s power to extend the maximum number of days per year on which a person may be provided with residential respite care. This change will remove any uncertainty about the role of ACATs in this process.

The bill was referred to the Senate Standing Committee on Community Affairs, in order to ensure the maximum transparency and input from all interested parties. The committee recommended in its report of 9 October 2006 that the bill be passed without amendment.

In speaking to the bill in the Senate on Monday 16 October, the opposition spokes-woman on ageing, Senator Jan McLucas, advised that Labor was in support of the amendment.

However, in spite of this, and in spite of the advice of the Senate Standing Committee on Community Affairs, the opposition saw it necessary to propose an amendment to the bill. The opposition amendment, however, bore no relevance to the bill, and introduced some completely new and unrelated suggestions, about issues that are already under consideration by the Howard government.

The opposition amendment proposed to legislate a requirement that all aged-care homes be subject to at least one unannounced support contact visit per year by the Aged Care Standards and Accreditation Agency. The amendment went on to further suggest that aged-care homes must not be given any prior notice of support contact visits, and that such visits must assess all 44 of the accreditation standards.

The Howard government has an excellent track record in aged care, and passage of this bill will enable this to continue.

Ms GILLARD (Lalor) (4.45 pm)—The minister at the table, the Minister for Community Services, is correct in saying that the purposes of this bill are twofold. Firstly, the Aged Care Amendment (Residential Care) Bill 2006 is to amend the Aged Care Act 1997 to harmonise aged-care and pension assets tests in relation to income streams and asset disposals through gifts. Secondly, the purpose of the bill is to amend the act to allow the secretary to delegate to specific members of aged-care assessment teams—ACATs, as they are called—the powers under the Residential Care Subsidy Principles 1997 to increase the maximum number of days allowed for a care recipient to receive residential respite care.

As we know, when someone enters into residential aged care, an aged-care assets assessment is undertaken to determine whether that person is eligible for subsidised accommodation costs. The assessment also
helps people to work out the maximum of an accommodation bond or the maximum daily accommodation charge they may be charged for entry to a residential aged-care service. Under current arrangements, the total amount of gifts—assets given away prior to entry to residential aged care—are excluded when calculating the value of assets under the aged-care assets assessment. Schedule 1 of this bill enables gifts and income streams to be treated in the same way they are treated under the Social Security Act 1991 and the Veterans’ Entitlements Act 1996 for the pension assets test.

Given that the intent of this amendment is to treat gifted assets the same way as those included under the pension assets test, this bill improves equity. Consequently, Labor supports this provision. Obviously it is a better arrangement to have consistency across federal legislation about the way in which gifts are to be treated. The issue of the treatment of gifts is that there ought not to be a scheme of arrangements where people can, by way of gifts, deliberately divest themselves of valuable assets in order to qualify for subsidies that they would not otherwise have qualified for. That is the purpose of the way in which gifts and income streams are treated under the Social Security Act and the Veterans’ Entitlements Act. Now the Aged Care Act 1997 will be harmonised with those tests.

Schedule 2 of the bill amends the act to allow the Secretary of the Department of Health and Ageing to delegate to members of the aged-care assessment teams the ability to extend the maximum numbers of days of respite for families who are in need. I think there would not be a member in this place who does not have issues related to respite care raised with them frequently and, obviously, an extension of the maximum number of days of respite for families in need is something that ought to be supported. But in introducing the bill the minister at the table asserted that the Howard government has an excellent record when it comes to aged care. I regret to advise the House that, of course, this simply is not true. There are currently just over 160,000 people in nearly 3,000 aged-care facilities across Australia, and the frailty levels of those going into residential aged care are increasing significantly, with 67 per cent of permanent residents in 2005 requiring high-level care, compared with 58 per cent in 1998.

I think that this is something that people have personal experience of or may know about through friends and family. Indeed, I started my working career in an aged-care institution. That is of course some years ago now, and there is no doubt that the levels of frailty of people who then admitted themselves to residential aged care was much different from the level of frailty now. It is conceivable now for people to remain at home for a lot longer, and obviously community expectations have changed about when it is appropriate to go into residential aged care. So we see that the statistics verify what I would have thought we intuitively knew: the level of frailty of residential aged-care residents is increasing over time.

In addition to those with increasing levels of frailty who are in residential aged-care places, we know that every day there are hundreds of frail older Australians in acute hospital beds because the Howard government has failed to provide sufficient aged-care places. It is possible, in fact, for acute hospital beds to be taken for a long period of time by people who are in need of residential aged care. This is a dreadful result for the patient involved—the frail aged person—because I think all of us know that there is nothing worse than being in an acute hospital bed if you do not need to be there. If you do need acute care, of course, you want timely access to an acute hospital bed but, if you are
not in need of acute care, an acute hospital bed is not a pleasant place to be—and frail Australians are left with no choice if they are not in that acute hospital bed. Because of insufficient supply of residential aged care, they will not be in a circumstance where they can be cared for.

On my travels I remember meeting an older gentleman at Wangaratta hospital who had been in an acute hospital bed for 14 months because of problems accessing a residential aged-care bed. I do not seek to suggest that is the norm; that obviously is an extraordinary case. But the fact that there is any case like that is something that we ought to be concerned about. Apart from being bad for the frail elderly Australian involved, it is a dreadful thing for our health system. There is nothing more expensive in our health system than an acute hospital bed, and there is nothing more prized than an acute hospital bed. A lack of availability of acute hospital beds causes blockages in emergency departments, where people end up for unacceptable periods on trolleys. They cannot be admitted to an acute hospital bed on a ward because no such bed is available. Also, a shortage of acute hospital beds means that people can be on elective surgery waiting lists for unacceptably long periods.

We are all familiar with the stories of people who have waited a long period in the public system for so-called elective surgery. It is elective surgery in the sense that, by definition, the conditions they have are not life-threatening, but the surgery they require would make a very big difference to the quality of their life. If you are largely immobile because you are waiting for a hip or a knee operation, then that is really causing a major problem to the quality of your life and to wait in that state for many months, perhaps years, is a very difficult problem. Of course, people also wait for other things—they wait for stent operations to alleviate heart conditions and the like, and the waiting is a very worrying period.

The Howard government would have us believe that this is all to do with state administered public hospitals and, consequently, it is all to do with the performance of state governments. But a pressure comes on our public hospitals as a result of the Howard government undersupplying aged-care beds. That pressure arises because people who should be in residential aged care cannot get there. They are stuck in acute hospital beds, which is bad for them, and those acute hospital beds cannot be used to assist in alleviating pressures on other parts of the system, particularly in emergency departments and elective surgery waiting lists.

A lack of residential aged-care beds is bad for aged Australians, but it is actually bad for our whole health system. Consequently, all Australians should be concerned about it. Even if you are nowhere near the age where you personally would be concerned about residential aged care, even if no-one in your family is in the age range where they should be concerned about residential aged care, you ought to be concerned about it. It is putting pressure on our public hospital system and no-one in this country, given the unpredictability of life’s circumstances, knows when they will need attention in a public hospital and need it in a timely fashion.

The recently released June 2006 stocktake of residential aged-care beds in Australia shows that the provision of aged-care beds continues to fall. At the December 2005 stocktake, there was an undersupply of 3,209 beds across the country. This undersupply has now risen to 4,613 beds. So, far from the grand assertion by the Minister for Community Services—who is at the table—that the Howard government has an excellent record in aged care, when you have an undersupply of aged-care beds and the dimension of that
undersupply compared with demand is growing, that is not something one should be crowing about. It is a problem that one should be directing the government’s attention to and seeking to fix.

In the 10 long years that the Howard government has been in office, it has managed to turn a surplus of 800 aged-care beds in 1996 into a shortfall of 4,613 beds in June 2006. The stark picture painted by those statistics is that we are going backwards on the provision of residential aged-care beds. That simply is not good enough when we are talking about the pressures on older Australians when they need residential aged care and the knock-on pressures on our public hospital system.

The government will no doubt argue that it has increased the number of community packages. Labor supports and welcomes the provision of community care, but this should not be at the expense of the provision of aged-care beds. With the ageing population, and the increasing levels of frailty that go along with it, when someone needs a bed, they need it quickly and suggesting to people that they can wait in those circumstances obviously poses all sorts of difficulties.

Indeed, according to the Productivity Commission the time people wait to access a bed in aged care doubled from 2000 to 2005. Not only do we have a growing undersupply of aged-care beds as compared with demand but in five years of this government’s administration we have a doubling of the amount of time that people are waiting for aged-care beds. They are not statistics to be proud of and not statistics that support a grand boast by this government that it has an excellent record in aged care. As I said, that is simply not true.

Then we have the issue of the quality of care that is provided when people are in a residential aged-care institution. Too many of our aged-care facilities fail to reach the 44 quality outcomes of the Aged Care Standards and Accreditation Agency. We know that, as a result of the failure to reach these 44 quality outcomes, there can be risks for residents at aged-care facilities—risks such as what would happen in a fire? That can be a problem. One can imagine what would happen in a fire in a residential aged-care institution, with frail elderly people needing to be evacuated on an emergency basis. Obviously, maximising the ability to so evacuate those people is critical.

In June, in an embarrassing admission of incompetence, the Howard government was forced to reveal that more than 400 aged-care homes still have not complied with fire safety standards even though the deadline was 31 December 2005, and 20 of those homes had not even met the most basic local and state requirements such as organising an inspection of fire extinguishers. I think it would shock many people listening to this debate that we could be in a situation where 20 aged-care homes have not even done the most basic thing of ensuring that fire extinguishers have been inspected so that one can be confident that they are going to work in case of emergency.

We know the Howard government has handed out over $500 million to aged-care providers to meet the 1999 fire safety standards. The deadline to meet those standards was last December, as I indicated, but now some aged-care providers will have until the end of 2007 to comply. So there is a real issue here about quality and safety for the residents in residential aged-care facilities, and that is something this government ought to be concerned about.

There has also been the question of abuse of elderly Australians in aged-care institutions. We know that there have been horror stories. There have been horror stories about kerosene baths, which was something that
was very comprehensively discussed in this parliament—as it should have been. There have been concerns raised about sexual abuse, which of course would shock and appal all Australians who hear about it. There have been concerns about poor and inadequate food, and there have been concerns about physical abuse such as beatings. The thought that any elderly Australian in a residential aged-care institution would be at risk of these things—of not being fed properly, of being physically or sexually abused—I think would horrify all right-thinking people. Everyone has heard the stories and read them in the media. This is an issue of quality that needs to be addressed. We need to do more to protect these frail aged Australians. That is our job as the national parliament.

The unanimous report of the Senate inquiry into aged care handed down in August 2005 recommended changes to the operation of the complaints system. The Hon. Rob Knowles, the current Commissioner for Complaints, has himself requested broader investigative powers. The Senate inquiry also recommended the protection of whistleblowers, but it was not until July that the government finally announced a package of measures aimed at combating abuse in aged-care homes. We need to be clear about that timeline. We had a Senate inquiry that recommended changes in August 2005. The voice of that Senate inquiry was joined by the voice of the current Commissioner for Complaints, the Hon. Rob Knowles—who would be known to those Victorians listening as a former minister for health in the Kennett government.

Ms King—He is a Ballarat person.

Ms GILLARD—The member for Ballarat reminds me that Rob Knowles is a Ballarat person, and she is an expert in such matters. He lent his voice to the need for broadening investigative powers. There was also a recommendation for the protection of whistleblowers. But not until April 2007 is the Howard government finally going to get its act together and do something to address these issues, which are all quite basic in terms of making sure that elderly Australians are protected. We have to have a complaints system that works. We have to have investigative powers that are adequate. And whistleblowers have to be able to come forward, certain in the knowledge that they are going to be protected; otherwise whistleblowers will not come forward.

I will go on now to talk about a third problem with aged care. I have talked about quality in terms of fire safety standards and I have talked about issues to do with protecting aged-care residents from abuse. The third issue is of course the issue of not having enough workers. This is a chant, if you like, that is heard right across our health system and aged-care system, and of course the two are interrelated. The acute sector in particular, and even our primary care sector, is in competition with the aged-care sector for nurses. In circumstances where we are short of nurses, it can be very difficult for aged-care facilities to hold their workforce. We know that the Productivity Commission report into Australia’s health workforce highlighted the significant shortage of nurses and care workers in aged care. Our residential aged-care workforce is ageing and decreasing in size. The stark reality is that this is only going to get worse if the government continues to avoid dealing with the issue.

Any national health workforce strategy must include the need for trained healthcare workers in residential aged-care and community care facilities. Some years ago the Senate community affairs committee inquiry into nursing identified aged care as the area of nursing in greatest crisis—with the acute shortage of nurses having led to increased use of unregulated workers to the detriment
of quality care. That situation is worsening, not improving, and this is an issue that lies directly at the feet of the Howard government. The Howard government do so much to try and duck and weave and deny responsibility in health. The Howard government have made an art form out of blaming others. Indeed, I have thought from time to time that they spend more time in the ministerial wing of this building working out who else to blame than they do on any other single task that ministers attend to. Certainly that is true in health. The minister for health always has a very creative explanation as to why it is nothing to do with him when something is going wrong in our health system.

There is one thing that the Howard government most certainly cannot walk away from—in reality they cannot walk away from a lot of what is wrong with our health system. What is unambiguously clear is their failure to train enough Australians to make sure that we can properly staff our health and aged-care system—that is entirely the responsibility of the Howard government. They fund the university system in this country which produces many of the professionals we need. They have shared responsibility in a funding sense for the TAFE system, which produces many of the workers that the health system needs. The continued neglect of these sectors and their systemic underfunding has put us in a situation where we now have a health and medical workforce crisis.

There is no sector of our health and aged-care system where this shows more clearly than in our aged-care institutions. I am sure members in this place routinely visit aged-care institutions in their electorates. If staffing is not one of the first issues raised with them when they walk in the door then I would be very surprised. It is an issue raised with me consistently.

Concerns about our aged-care system motivated the shadow minister for ageing, Senator Jan McLucas, to move a substantive amendment to this bill in the Senate. The minister at the table, the Minister for Community Services, has referred to this substantive amendment in critical tones, but I think it warranted proper consideration from the Howard government. Unfortunately, it did not get it. The amendment would have legislated for one unannounced annual spot check on all residential aged-care facilities in Australia. The amendment provided that this spot check would be conducted on all 44 quality outcomes of the Aged Care Standards and Accreditation Agency.

That, in fact, is what the Minister for Ageing promised earlier this year following allegations of sexual abuse in three aged-care facilities. Once again, we have hollow words from the Howard government—something promised but not delivered. We provided in the Senate, through a substantive amendment, the legislative vehicle by which this could have been delivered. But of course the Howard government is not known for honouring its word and it did not honour its word on this occasion. It refused to support this substantive amendment.

Labor’s amendment would have enshrined a Howard government promise in this legislation, and the Howard government voted against it. It makes you think about what, really, a Howard government promise is worth. The amendment Labor offered in the Senate gave the government the language and the legislative instrument to deliver on what they had been saying. The community has a very strong understanding that every facility in this country is given a spot check every year. People think that happens. But what does a spot check mean? It should mean that it is unannounced. Everybody in the street knows what having an unannounced check means. It means someone
turns up without telling you. But that is not what is going on now with the checking of residential aged-care facilities in this country. It is what should be going on, but it is not going on now.

I think every person who has some basic common sense would know that you only really find out what is happening if you turn up unannounced. If you turn up having given notice that you are going to arrive at a particular time, then people will tidy up—it is a human instinct. They will do a series of things that they do not do on an ordinary day. Some of that will be motivated by the goodwill of putting on the best possible face, but, in residential aged-care institutions that have problems, some of that will be motivated by covering up problems on the day that the aged-care accreditation people turn up. To take a simple example I have referred to during this speech, if food quality and food quantity is an issue, that can obviously be resolved for the day that the planned check happens. If you were not properly feeding residents in aged-care facilities, you would obviously put on a special meal when the people who do the checking come around. Once the people who have done the checking leave the building, you go back to your ordinary ways. The only way of making sure that we get a genuine check of what is served on an ordinary day and what is done on an ordinary day, how people are treated on an ordinary day, is to turn up unannounced for an opportunity to view what happens on an ordinary day. That is what Labor’s amendment would have done.

We have been told by the government that it is too expensive to undertake the spot checks against all 44 quality outcomes and that providers would not like it. A spot check system is about protecting people in the aged-care area and assuring that there is quality of care. It is not an opportunity that should be missed by the Howard government. We can only assume from the Howard government’s failure to support the substantive amendment in the Senate that it really does not care enough about honouring its word for unannounced spot checks, that it really does not care enough about the quality of what is happening in our aged-care facilities to make sure that these annual unannounced spot checks happen as a result of a legislative requirement. There are 166,000 residents in residential aged care who deserve better. With that, I move:

That all words after “That” be omitted with a view to substituting the following words: ‘whilst not declining to give the bill a second reading, the House condemns the Government for:

1) failing to protect our vulnerable aged population by ensuring that all residential aged care facilities receive at least one unannounced spot check every year; and

2) rejecting amendments to this bill that would have ensured the promised annual unannounced spot checks were enshrined into legislation’.

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

Ms King—I second the amendment and reserve my right to speak.

Mr TUCKEY (O’Connor) (5.14 pm)—I will first address the opposition amendment to the Aged Care Amendment (Residential Care) Bill 2006. It is not a bad idea to advise those present, as they were not around previously, that prior to 1996 there were no inspections; there was no legislation that required inspections of the type applied today. Nor was there a publication of failings, as there is today. In the early period of the Howard government, I sat here and listened to the complaints of the opposition—I think it was the member for Jagajaga at the time—about what they had read on the internet. Having conducted the inspections and identified the faults, the Howard government thought it proper to publish the findings. All
of a sudden it became an issue for the opposition. Those opposite never gave the matter a thought when they were in government. They did not do anything.

It is all right to stand up here in this place and move these types of amendments, contrary to the proceedings that occurred in the period when the opposition was in government, but the reality is that those opposite forget, and they insult, a lot of the very dedicated workers who run the nursing homes and aged persons homes. History shows that most of them do an excellent job. I might add that, as we as a government have had to respond to the nagging of the member for Jagajaga, in particular, the reality is that a lot of smaller homes are now overburdened with paperwork, as we require, and that is to the detriment of the service given to the elderly residents. There has to be a balance.

The government has already responded in what I think is a satisfactory fashion. We have an agency—virtually a statutory body—responsible for the oversight of nursing homes in a very independent way. The agency and the department have signed a variation of the deed of funding agreement requiring the agency to conduct at least one unannounced visit to each Australian government subsidised home annually—and to conduct more visits if required. Contrary to the remarks of the member for Lalor, the reality is that a process is in place. It is not legislated, it is not hidebound by that legislation, and it is not run on a stopwatch; it is there as a measure that can be varied as the need arises. In addition, the agency is required to maintain an average visiting schedule of 1.75 visits per home per year.

The agency commenced these visits on 1 July 2006. Residential aged-care facilities must not be given any prior notice of the support contact. Currently legislation requires the agency to give the approved provider written notice of the intention of a visit. That is for a residential aged-care facility. The agency process for unannounced visits is to give short notice of its intention to visit—often as little as five minutes prior to the visit being undertaken—and to present a written notice requesting entry to the home at the time of arrival at the home.

We have progressed from the policies of the previous government—of doing nothing—to a situation where an adequate visit, agreed with the government department, is conducted by the agency to ensure the well-being of the residents of these facilities. In my mind, this is quite an adequate arrangement, and it operates under a flexible system. Legislation can sometimes be an unnecessary burden. It can limit the department and the agency in how best to respond.

We have all heard of the black book. No doubt the agency is well and truly aware of where it is most likely to find breaches of the act. I do not think that they would be very often found in the many small facilities that exist in my electorate, which happen to be run, to a great degree, in terms of policy and practice, by a voluntary committee—hardworking local people who give of their time for that purpose. It is unnecessary to put those people under additional pressure.

I—and I am sure the government is of the same view—will reject these amendments as unnecessary and somewhat hypocritical considering the stance that was taken by the opposition when it had the opportunity to do these things anyway. We have to be extremely careful that we do not so burden the workers in aged-care facilities with paperwork that they have no time to address the real problems confronting people, particularly those who are bedridden and others. The member for Lalor talks about kerosene baths and sex abuse.
was posted on the website after our inspectors discovered that it was happening.

I would like to mention some aspects of this legislation. The legislation is primarily to harmonise the pension entitlements and the access to subsidised aged persons facilities so that the means tests applicable are consistent. I find nothing wrong with that. The government has decided that the arrangements will not commence until September 2007, and it will make them consistent with new superannuation laws. That seems eminently sensible.

In a more general way, I am anxious to talk about the opportunities for more dementia facilities in the rural centres that I represent. The other day, I had representations from residents of the town of Quairading, pointing out the situation of a family that is almost rusted to the town of Quairading. They are great citizens. The wife of that couple has gotten to the stage where her husband can no longer look after her. Her condition is such that it is beyond the aged-care facilities in that town. This example cannot be responded to in time, but it has brought to the attention of the community how badly their small community needs a dementia wing associated with the facilities they provide.

When we start to allocate these facilities, I think we have to be a little careful, and we have a standard guide that says that if you do not have 10 inmates you cannot make it a commercial success. A lot of communities would rather give of their own money for smaller facilities that would service their own community. There is, I guess, nothing worse than asking people who have lived a lifetime in a small community to pack up and go. I remember well that in my community of Carnarvon many years ago a couple went to Perth to get adequate facilities because one of them was in that situation. Shortly after their move, that person died and left the other person in a completely strange environment. That really sharpened me up as a local government person at the time to move our community towards having better facilities.

The government has provided quite a generous funding package in this regard. It is a special aspect of our current policy to give high priority to dementia sufferers and the facilities they require. I am hopeful, therefore, that the minister will, in due course, look very closely at small communities where the need for dementia services is quite high and see that some of those funds are directed to them, because it is very important.

Criticism of this government for neglecting the aged is not supported by the statistics. At 30 June 1995, there were 93.8 operational aged-care places for every 1,000 people aged over 70. By 30 June 2006, this increased to 105.8 operational aged-care places for every 1,000 people over the age of 70. This represents a 49 per cent increase in the number of operational aged-care places—from about 137,000 places in June 1995 to 204,869 in June 2006. That is not a government neglecting the aged. You can do a lot with statistics, but in every regard this area seems to have been well addressed by the government.

We have given assistance for 15,750 aged-care workers to access recognised education and training opportunities, such as certificate level III, certificate level IV and enrolled nurse qualifications—in other words, upskilling those people so they can better care for the people they serve and so they can improve their own employment prospects. We have a provision for 8,000 aged-care workers to access the Workplace English Language and Literacy program and provision for 5,250 enrolled nurses to access recognised and approved medication administration education and training programs.
Some of the administration is conducted by state governments. The last I heard was that a registered nurse could not give an injection in New South Wales. If that still applies, it is an amazing situation. I stand corrected if that situation has changed but, if the skills cannot be gained to apply that simple technology, one does not have to look too hard to see why we have some problems in operating these types of facilities. I have not tried it on a human, but a lot of my racehorses say that I am very effective in that particular area. I am sure it is not a skill that requires a medical practitioner.

We have established 1,600 new nursing places at universities and have created 1,000 scholarships to be offered to encourage more people to enter or re-enter aged-care nursing, especially in rural and regional areas—and I have already made some comments about that. There has been a significant effort on behalf of the government, and I welcome those efforts. For instance, over 21,000 new aged-care places will be allocated over the three years from 2006, including 6,387 for 2006-07 alone. With these new places, we will have allocated 95,200 places between 1996 and 2007-08. There are also many other issues of that nature—for example, the number of CACP and such packages available nationally increased from 4,431 in June 1996 to 32,941 in June 2005.

I gave an indication to the opposition that I would not be using all my time, and I should keep to that promise. The legislation is sensible, and I understand that there is no objection from the opposition in terms of the major intent of the legislation. I do, however, reject the opposition’s attempts to try to make political capital on something that they failed to do themselves and something which I think is very adequately maintained today—that is, the announced and unannounced inspections. To suggest that the process needs to be toughened up is to suggest that everybody who runs a nursing home is some sort of crook. They are not. They are very decent people. The ones who do fail in their responsibilities would become well known to the department and the agency over time—and I bet they are the ones who get the most inspections.

Ms OWENS (Parramatta) (5.29 pm)—I rise to speak on the Aged Care Amendment (Residential Care) Bill 2006. This bill is not particularly controversial as far as it goes. It makes a couple of important amendments to the Aged Care Act 1997 and Labor supports these amendments. Schedule 1 of the bill seeks to harmonise aged-care and pensions assets tests in relation to income streams and gifted assets under the assets test for entry into permanent residential aged care. This follows a recommendation made by Warren Hogan in his report Review of pricing arrangements in residential aged care, handed down in 2004. Two years later it is good to see the government finally responding.

Under current arrangements and under the new arrangements, people moving into residential care are offered assets tests to determine if the government will contribute to the cost of accommodation through a concessional supplement and help the person work out how much accommodation bond or accommodation charge they might be able to pay. These assets tests are undertaken by Centrelink, and by the Department of Veterans’ Affairs for veterans, and are necessary when a person moves into a facility or changes to another facility. So far as that goes, the assets tests remain as they are under the new amendment. But the change occurs when assets have been given away immediately prior to the assets test by a person needing residential care.

Under the old arrangements, assets that have been given away by a person needing residential care are not counted in the aged-
care assets test. They are, however, included in the pension assets test that may reduce the amount of pension a person receives. So, under the old system, there is a difference between the way gifted assets are treated in the assets test for residential care and that for pensions. This bill brings that back into line and counts assets that are given away in the assets test for residential care.

Schedule 2 amends the Aged Care Act 1997 to allow the departmental secretary to delegate to specific members of the aged-care assessment teams the power under the Residential Care Subsidy Principles 1997 to increase the maximum number of days allowed for a care recipient to receive residential respite care. Under the old act, a person can access a maximum of 63 days respite care per financial year. However, the secretary or a delegate of the secretary can increase that amount by a period of 21 days where there is a need to do so. This proposed amendment makes the system simpler and quicker and reduces red tape. It is very welcome. The proposed amendment allows the secretary to delegate to members of the aged-care assessment teams the power to formally approve these respite care extensions—again, a small but important amendment that will make the process for people needing extra respite care easier and quicker and will reduce the amount of red tape involved. These amendments are widely supported by stakeholders in the aged-care sector, and they are supported by Labor.

It is regrettable, though, that the government missed an opportunity to do something more than tinker at the edges with technical amendments. Labor moved an amendment in the Senate, which was voted down, which would have ensured that each residential care facility would receive at least one unannounced spot check each year. All we were seeking to do was to put into legislation a commitment that this government has already made more than once and failed to meet. The member for O’Connor made much of Labor’s call for this amendment, but all we are doing here is calling on the government to do formally what it has said it will do on more than one occasion and absolutely failed to do.

After the infamous kerosene bath incidents in aged-care facilities in 2000, the then minister, the member for Mackellar, announced that every aged-care facility would receive at least one spot check each year. There are around 3,000 facilities in Australia, and last year there were a grand total of 563 spot checks made. That is significantly less than 20 per cent. The government commitment back in 2000 was that every aged-care facility—that is 100 per cent—would receive at least one spot check each year. The achievement last year was 20 per cent, much less than the 100 per cent commitment. After six years, this government has managed less than 20 per cent of what it said it would do in a year. That is simply not good enough—not good enough by the government’s own standards, Member for O’Connor.

In fact, between 2000, when the announcement was made, and last year there have only been 2,167 spot checks made in total. That means that in the six years since this commitment was made the government has not even achieved one spot check per facility—not even one per facility in six years—let alone the one per year committed to in 2000. It is disgraceful that the government continues to treat the situation lightly by voting down Labor’s amendment.

After the sexual assault allegations made earlier this year, the current Minister for Ageing, Senator Santoro, again reiterated that each facility would receive one spot check a year. The government reannounced its commitment. The fact that the minister voted against imposing this as a legislative
requirement shows what his commitment to the issue really is. There are currently around 170,000 places in aged-care facilities, and this is expected to more than double over the next 25 years.

We have to have the right systems of checks and balances in place to ensure that this growing sector treats its residents with dignity and compassion. The people in residential aged care are the people who helped build our nation, and now in their retirement and their need we need to be there for them as a community and as a country. Contrary to the comments made by the member for O’Connor, this is not an attack on every single aged-care facility, but it is a recognition that, in the range of aged-care facilities around this country, there are some that are not doing the right thing—there are some whose standards are below par—and we as this parliament need to ensure that those are brought to account. It is a perfectly reasonable expectation that spot checks take place, particularly when the government has committed to it.

Interestingly enough, it is something that a number of my constituents have asked for in the last couple of months. In fact, it is quite a common request. One hears stories of facilities that sometimes do not have a registered nurse on duty and where sometimes patients are taken to hospital when, if a registered nurse were present, they could easily have been treated locally. The people who helped build our nation deserve our support in this, and they deserve at least that the government do what it has been saying it would do for the last six years.

We all know that ours is an ageing population. Since the 1970s the number of people in Australia aged over 65 has increased by a massive 143 per cent. Improved medical techniques have increased life expectancy dramatically. These, in conjunction with decreasing birth rates, have meant that the percentage of people aged 65 and over as a proportion of our total population has increased dramatically and will only continue to grow. We as a nation need to address this. If the government can only look out for around 20 per cent of residents in aged-care facilities now, in spite of their six-year commitment to do better, how can they possibly expect to cope when there is a doubling of the number of residents?

When it comes to the provision of aged-care beds, it is not just in its failure to meet its own target of spot checks that the government is falling behind; it is also in the number of beds available. When Labor left government in 1996 there were 92 residential aged-care beds for every 1,000 people aged 70 and over. In spite of the fact that we have known about the ageing of the population for at least the 10 years of this government and before, today that figure has fallen to 85.3. So, in spite of knowing about the ageing of the population, this government has allowed the servicing of our aged population to decrease from 92 residential aged-care beds per thousand people to 85.3 per thousand people. There are fewer beds available now than are necessary, and that situation is worsening week by week. In the five years from 2000 to 2005, the amount of time people spent waiting for aged-care beds doubled. In the last five years of this government’s term, the amount of time people have spent waiting for aged-care beds has doubled, in spite of the clear knowledge that the ageing of the population is one of the most significant problems this country faces.

Labor has a range of policies developed for the aged-care sector. In September this year Labor’s shadow minister for ageing, disabilities and carers, Senator Jan McLucas, released Labor’s goals for an ageing Australia—activity, quality and security. It includes a wide range of policy proposals addressing
a significant number of issues in ageing and was developed after an exhaustive consultation period with stakeholders and other interested people in the community. It is a plan about going forward and tackling the issues that exist now and those that have been identified as being significant in the years ahead. It is not about tinkering at the edges. It is not about making commitments and then making them again and then not meeting them; it is about actually doing something—not talking about it for 10 years. Labor has a plan. We have a track record. I urge the community to examine both track records before the next election and decide for themselves which one stands up and is worthy of support.

Mrs HULL (Riverina) (5.40 pm)—I rise today to support the Aged Care Amendment (Residential Care) Bill 2006 in the House. As announced in the 2006-07 budget, the amendments in this bill will align the treatment of gifting and income streams for aged-care asset-testing purposes with the treatment of gifts and income streams for age pension asset-testing purposes. The changes are designed to simplify the interaction of the aged-care and pension arrangements for greater transparency and to facilitate wise financial planning for older Australians. This bill will also improve the sustainability of aged-care financing arrangements.

The purpose of the bill is to respond to concerns raised in consultations with the community that prospective residents who purchased an income stream after 20 September 2004 could possibly be disadvantaged. Some investment products that generate income streams are purchased using a person’s assets, and currently the money used to buy these income streams is fully exempted from the aged-care assets assessment.

But if you listened to the comments of those opposite in this debate you would not understand that the bill was in fact to simplify and address agreements with respect to assets testing. Those opposite are all about scaremongering. This is all about trying to present something which is not there. It is all about smoke and mirrors, using and playing on words to frighten frail, vulnerable and elderly people and, indeed, scaremongering amongst their families. I have witnessed the kind of scaremongering that we have seen in the House today in the comments that have been made with respect to the second reading amendment the opposition have proposed to this Aged Care Amendment (Residential Care) Bill 2006 that we have sitting in front of us. The opposition’s amendment says that ‘whilst not declining to give the bill a second reading, the House condemns the government’ for these absurd allegations:

1) failing to protect our vulnerable aged population by ensuring that all residential aged care facilities receive at least one unannounced spot check every year; and

2) rejecting amendments to this bill that would have ensured the promised annual unannounced spot checks were enshrined into legislation”.

For goodness sake, the minister has implemented so many comprehensive protections for people involved in the aged-care system and their families. We have the Aged Care Complaints Resolution Scheme, which was supported by the Charter of Residents Rights and Responsibilities. It forms a significant part of the comprehensive accountability framework for Australian government aged-care homes.

This second reading amendment speaks of the failure to have spot checks. Yet we had a media statement some weeks ago from the Minister for Ageing announcing ‘Aged care spot checks already under way’. The media statement clearly states:
The Howard Government is delivering on its commitment of at least one random spot check for every residential aged care facility every year.

The government has in fact:
... allocated more than $100 million to deliver on a range of commitments ... announced earlier this year to increase the security of residents and ensure the standard of care in aged care facilities. These measures include at least one random spot check per year in each facility.

Again I reiterate there are absurd allegations and claims in the debate on this Aged Care Amendment (Residential Care) Bill 2006. It just shows that the opposition really have no understanding or concept of aged care and its requirements. Their only concern is to get out there and make statements that are scaremongering in the least and simply not acceptable in my Riverina electorate.

Of course, Country Labor is a fallacy in that I have never seen Country Labor vote against city Labor, so I am quite disturbed about Country Labor and how it works. Let Country Labor vote against city Labor occasionally. When there are things that are going to impact on country areas, such as the sale of the Snowy Hydro Scheme proposals et cetera, we did not see anyone coming out and supporting Country Labor and we did not see Country Labor voting against their city counterparts’ desire to sell off assets to get funding to run a campaign in the city areas where their majority vote is. But I will come back to—

Mrs HULL—I am returning to the issue of Country Labor’s Senator Ursula Stephens’s allegations in my electorate. She said that the June 2000 stocktake of residential aged-care beds in the Riverina-Murray found the region needed more places to cope with demand. As reported in the Daily Advertiser on Thursday, 19 October, the Forrest Centre’s chief executive, Neil Stubbs, said the need for beds in Wagga ebbed and flowed. Of course it ebbs and flows. That is something that obviously Senator Stephens and the opposition do not understand. You cannot determine when a person may vacate a bed or when a person may require a bed. If you have all of these vacant beds, somebody has to pay for it and it is just simply not good business sense. Yet the Forrest Centre says that there was no dramatic shortage of beds for the elderly. The reality is that, as Mr Stubbs says, there are ups and downs in demand because you do not know when people are going to get sick. He said there have been occasions in Wagga Wagga where there has been no waiting list. We are not hearing any horror stories of people waiting in hospital for months to get a bed. They should know—they are the people on the receiving end. Mr Stubbs, as quoted in the Wagga Wagga Daily Advertiser, said it was important that the number of beds continued to increase as the baby boomer generation aged and needed some level of care. But I can assure you the beds have increased substantially.

In fact, Australia’s current operational ratio of 105.8 aged-care places per 1,000 people aged 70 or more is the highest it has ever been. It compares with the ratio of just 92 places per 1,000 people aged 70 or more when Labor was in power. Labor has a short memory in this House. In addition, Mr Stubbs’s analysis in the Daily Advertiser was backed up by the Haven’s general manager, Shane McMullan, who said there were times when he had a few people on his expressions...
of interest list but there were also short peri-
ods when he had empty beds. Again, we hear the debate in the House. This is all about scaremongering.

When you look at complaints and user rights we have the Australian government and the minister who have responsibly insti-
tuted a quality framework which includes the Aged Care Standards and Accreditation Agency, the Aged Care Complaints Resolution Scheme and user rights initiatives in-
cluding the National Aged Care Advocacy Program and Community Visitors Scheme. These are fabulous schemes and enable more transparency—a concerted amount of trans-
parency—in the industry. All homes are re-
quired as part of their accreditation frame-
work to have an internal complaint-handling process and people may choose to use the home’s internal process before contacting the scheme. But there is support and a safety net where this does not resolve issues.

The Australian government also funds a scheme to assist residents and their families and friends or any other parties to resolve complaints about the care or the services provided in Australian government funded aged-care homes. Even in July 2006 the min-
ister, who is doing a fabulous job in this port-
folio, announced a commitment of $90.2 million over four years by the Howard-Vaile government to strengthen the arrangements for the handling of aged-care complaints. The new arrangements will replace the cur-
rent Aged Care Complaints Resolution Scheme with more robust arrangements for dealing with complaints and compliance, including compulsory reporting of incidents such as sexual abuse or serious physical as-
sault and whistleblower protection for those people who report.

The reforms will replace the existing scheme with a new Office for Aged Care Quality and Compliance within the Depart-
ment of Health and Ageing. These people will have significant power. Again I come back to the debate on the Aged Care Amendment (Residential Care) Bill 2006 and the allegations made therein. I consider them to be absolutely absurd when we are looking at a departmental area that will oversee com-
pliance. They will have significant powers of investigation for all complaints and informa-
tion. They will have nationally centralised intake and prioritising of all contacts by high-level, specifically trained staff. They will have the powers to determine whether a breach of the approved provider’s responsi-
bilities has occurred and, where a breach is identified, they will have the power to take appropriate action to remedy that breach. They will have the capacity to issue notices of required action to providers who have breached their responsibilities and also to take compliance action where the provider fails to remedy the issue. They will also pro-
vide feedback to the complainant on the out-
comes. So you will no longer have a person who makes a complaint sitting in the dark. They will know what has taken place, what action has been taken and what penalties, if any, have been imposed. What more could you ask for?

The Australian government and this min-
ister have established a new aged care com-
missoner who will provide an independent review mechanism. This commissioner will have wide-ranging scope to hear complaints about action taken by the Office for Aged Care Quality and Compliance from care re-
cipients, carers, aged-care staff, providers of aged care and members of the community. This measure is coupled with the announce-
ment earlier in the year on the introduction of police checks. The minister moved quickly and assertively to ensure that no eld-
ery person would be in a position whereby their security and safety could not be investi-
gated and the families, particularly, of elderly people could not feel assured.

Many times when I go to accreditation presentations I am in awe of the efforts gone to by the staff and the management of the facilities. I did one at Heyday just recently. The staff’s dedication to the residents of Heyday is absolute. I was so proud of them because they work in conditions that sometimes are challenging in an outback community. It is difficult to get qualified staff in many of the areas, but here we have community members who are caring for their elderly. They have probably known them since birth and they are out there making sure that the days of an aged Australian are quality days. When I go to these aged-care accreditation presentations, as I have said, I am in awe of the efforts of the staff in ensuring the safety of elderly people and in ensuring peace of mind for family members who have to put an aged person into a facility because they may be working full time and unable to care for that person at home or for a variety of reasons.

Earlier this year, in April, after we had some issues recognised, the minister introduced police checks and additional unannounced visits to aged-care homes by the Aged Care Standards and Accreditation Agency. It will provide a greater capacity to ensure that we deliver improved and quality of care to recipients of government subsidised aged care. We have so many programs it is almost taking up all of my speaking time just to refute this ridiculous amendment that is not for the purposes of good but for the purposes of mischief making and scaremongering, as happened just a few weeks ago in my electorate.

I do not appreciate the people of the Riverina being scared and concerned when there is clearly no need to be. We in the Riverina have offered an enormous level of service and assistance to Riverina residents and beyond in aged-care facilities, and I am very proud of our achievements as a government. I am very proud of the additional beds that we have been able to allocate in Cootamundra, Hay, Moree, Leeton and Wagga Wagga. I am so proud of all that this government has done to fill a vast void of care and concern that was left over from 13 years of Labor rule—and that was an inadequacy of beds for the aged and really no policy platform or forward planning and thinking to determine how we were going to meet the needs of the aged Australians who have contributed so much to our economy, to our lives and to Australia in general. They did not deserve a forward plan of thinking when Labor were seeking to be elected in 1996.

I will move on to the National Aged Care Advocacy Program. To support residents, this government and this minister have funded the National Aged Care Advocacy Program. This is an aged-care advocacy service that operates in each state and territory—with two in the Northern Territory—to assist people to exercise their rights through various advocacy processes, including advice and support. These advocacy services are operated by community based organisations. Who better to look after the interests of ageing people than people from the community who, as I have indicated previously, have sometimes great knowledge of the residents in these homes? These advocacy services encourage policy and practices which protect our consumers. They also promote the rights of consumers through educational programs and information provisions. Advocacy services complement the role of the Aged Care Complaints Resolution Scheme within the Australian government’s quality assurance framework. Advocacy services are available to all consumers of government funded aged care, as well as their representatives and their families. What is more important is that ad-
vocacy services are free, independent and confidential.

I will move on to the very popular visitors scheme. Our Community Visitors Scheme is working a treat in the Riverina. We are very proud of the way in which Riverina people always rally. They always raise the most money; they always put up their facilities when they have not been able to be delivered in other areas. This Community Visitors Scheme enriches the quality of life of residents in our aged-care homes who may be socially isolated or lonely.

Some of our aged-care residents live extraordinarily lonely lives because their families do not live in their town anymore. I am proud that my daughter-in-law is a volunteer for the Community Visitors Scheme. She has made an amazing difference to the lovely lady she visits and cares for and to whom she provides nurturing, understanding, conversation and genuine, true friendship and affection. This lady does not have any family members. She has never married and has not experienced a lot of care from extended family members. I would like to thank the minister for the bill and, again, say that the amendment is quite absurd.

Mr GEORGANAS (Hindmarsh) (6.00 pm)—I too rise to speak on the Aged Care Amendment (Residential Care) Bill 2006. There seems to be a bit of a carers theme in this chamber this week. Yesterday, we spoke on a private member’s motion acknowledging Carers Week, and I took the opportunity to speak in this House yesterday on the care given to children by their grandparents. Today, we speak about the care given to many grandparents in Australia who are perhaps in aged-care homes.

I was interested to hear what the member for Riverina had to say—how everything is smelling of roses in this area. It is certainly not that way in the electorate that I represent, the electorate of Hindmarsh, which is the oldest electorate in the country, with the highest number of aged people in the country. In the electorate of Hindmarsh, which covers the western and southern metropolitan area of Hindmarsh, there has been a continuous shortage of beds since the government started to count the number of beds in 1998. We have had a constant shortage of approximately 200 to 300 beds. Those figures came straight from the minister in reply to a question on notice that I put to him asking how many beds were in those regions from 1996 onwards. He could not give me the figures for 1996 or 1997 but he certainly could give me the figures from 1998 onwards. There has been a constant shortage of beds in the western and southern region of Adelaide’s inner west, in the metropolitan area, where the seat of Hindmarsh is.

I would like to note the amendment contained within schedule 2 of the bill. This amendment allows the Secretary of the Department of Health and Ageing to delegate to members of the aged-care assessment teams the ability to extend the maximum number of days of respite care for families who are in need. Ordinarily it has been a maximum of 63 days of respite care per year, or around five days per month. The flexibility made available by this amendment increases the potential days of respite to a maximum of 84, or seven days per month—a noteworthy increase which will be of substantial benefit to those who need it most.

The flexibility to extend respite care for senior Australians whose families need assistance is something that I believe many people around the nation will view as a substantial shot in the arm. I note that all three submissions received by the Senate committee investigating this bill were supportive of this measure. Submissions were received from the AMA, National Seniors and the Department of Health and Ageing. The amendment
puts into legislation the government’s previously announced spot-check activity. In fact, the government has announced universal annual spot checks on nursing homes on a couple of occasions now, but the history of this level of quality control has been seen to be more about the announcement, as we see in many areas with this government, than the actual practice of implementation.

After the kerosene bath exploded under the former minister some six years ago, it was announced that each and every one of the 3,000-odd aged-care facilities in the nation would receive a spot check each year. That has never, ever happened. Last year, only 563 were graced with such assistance. This commitment was repeated at the time of the budget this year in the wake of the sexual assault allegations earlier on in the year. The extent to which the industry is assisted through the presence of departmental agents conducting spot checks is subject to what they actually check, of course. Given the government’s history on this point over the last six years, it is regrettable, but perhaps par for the course, that it is envisaged that only a number of the 44 Aged Care Standards and Accreditation Agency quality outcomes will be assessed at any spot checks. I think this is very regrettable. I believe we owe it to our senior Australians to do what we can to assist them to enjoy their later life in satisfactory surrounds and with the appropriate support they need.

The assistance potentially available to residents and nursing homes through spot checks was identified by the minister recently when a facility in Victoria was assessed as failing to meet 30 of the 44 standards by the Aged Care Standards and Accreditation Agency’s assessment team—an assessment that was overruled by the agency, which reportedly offered the facility the opportunity to immediately take necessary measures to bring its standards up to scratch.

I am sure that all concerned would appreciate that managing facilities is not an easy job but would still identify the meeting of standards as important and would wish the facility in question every success in maintaining the improvements one would hope they have made at this point.

If the government does not agree with this approach, with assisting facilities to identify areas that need improvement in accordance with all 44 standards, if the government is proposing that the human resource cost of assessing facilities against 44 standards is unduly onerous and substantially reduces the number of facilities that can conceivably be visited in a year, and if the number of visits by assessment teams is more important than what they are able to positively contribute to the industry and the facilities therein, I wonder whether the government should be reducing, perhaps consolidating, the number of standards. Fundamentally, we all want the industry to continue to develop into a stable and sustainable element within the broader Australian residential and health service sectors, and I am sure the majority of service providers do a very good job in difficult circumstances. Within and close to the electorate of Hindmarsh, from what I have seen in existing facilities and even on paper in the odd blueprint and funding application we see, I certainly believe this to be the case.

I would like to note that the current coverage of spot checks would be even more limited if the government managed to provide the number of facilities required to meet their target of 88 beds per 1,000 people aged 70 or over. The recently released June 2006 stocktake of residential aged-care beds in Australia shows that the provision ratio of aged-care beds in Adelaide’s western and southern suburbs has fallen since the Minister for Health and Ageing took over the Ageing portfolio nine months ago. I mentioned, at the beginning of my speech, the undersupply
of 287 beds in areas of the federal electorate of Hindmarsh, as at the December 2005 stocktake. Since then the situation has worsened to a shortfall of 315 beds in June 2006.

The government will claim that they have put millions of dollars into aged care and allocated numbers of beds, but allocating a bed and having a bed come to fruition are two completely different things. And in an electorate like Hindmarsh, which has one of the oldest populations in the country, the population is ageing at a faster rate than the rate at which beds are being allocated, and therefore we are constantly playing catch-up; we constantly have a shortage of beds.

As I said, the operational ratio of residential aged-care beds in each aged-care planning region in Australia should be 88 beds for every 1,000 people aged 70 years and over—and that is according to the government’s own figures. The target ratio and the ratio which is realised are not of as much concern to the public as the availability of satisfactory accommodation and care when it is needed by some of the most vulnerable members of our adult Australian community. But regretfully the government has not even met its own benchmark. Worse, the position is actually deteriorating in my electorate.

For all the minister’s promises, bed numbers in proportion to need within Hindmarsh, as defined by the government itself, have actually fallen by 28 since December 2005—that is virtually 10 per cent in less than one year. In 10 long years, this government has managed to turn a national surplus of 800 aged-care beds in 1996 into a 4,613 shortfall by June 2006. We are going backwards under this government. This is just not good enough.

As I said earlier, in my electorate since 1998 there has been a constant shortage, and that shortage is growing. The aged-care minister will argue he has increased the numbers of community packages. Let me put it on record that Labor supports the number of community packages and we support the increase in the number of those packages. We welcome the provision of community care but this should not be at the expense of aged-care beds.

The minister has also stated that the identification of the government’s sub-par and worsening record is no cause for alarm, as the government’s target will be met in 2008. This is of little comfort for those people who need beds now and their families. It is of very little comfort. What faith can the community have in this administration reaching its target when in six months the shortfall has ballooned out by as much as 10 per cent? How can any concerned observer or future service recipient have any faith in such a government or take any comfort from its record of turning a national surplus of 800 aged-care beds in 1996 into a 4,613 shortfall by June 2006?

With the ageing of the population and the increasing levels of frailty that go along with ageing, when someone needs a bed they need it straightaway. According to the Productivity Commission, the time people wait to access a bed in aged care doubled in the period from 2000 to 2005. I am continually seeing the effects of the Howard government’s policies in the faces of ageing constituents and their families. I am hearing it in their voices and seeing it in their eyes.

Regardless of the rosy picture painted by the member for Riverina, two constituents of mine come to mind. The first is a 90-year-old woman who waited 12 weeks in the Flinders Medical Centre—a public hospital—because they could not find an aged-care bed in the western region for her.

The second is a woman who came to see me. Her husband had been in a public bed in the Royal Adelaide Hospital for nine weeks
waiting for a nursing home bed in the western region. Both these people were very distressed. In fact, the first woman I spoke about, who was in the Flinders Medical Centre in Adelaide, had been a volunteer for many, many years. She drove one of the community buses. If this is the way this government treats our elderly it is a sign of what sort of prosperity we have. We might talk about economic prosperity but there is also a social prosperity—and on social prosperity this government fails.

People make much of the baby boomer generation, which is rapidly approaching retirement in very substantial numbers, and the comparatively low value of superannuation contributions much of this generation will, in the first instance, be expected to live on. People look to the future with something approaching dread but also something akin to a sense of inevitability, especially in terms of the financial security—or lack thereof. People are looking into the almost immediate future and seeing hundreds of thousands of Australians facing increasingly tough times for, in most cases, a highly substantial and significant proportion of their lives.

With little behind them but the family home and limited means of generating post-preservation-age income, people are asking what this government has done for 10 years. Alan Fells and Fred Brenchley state that the current administration itself may appear due for retirement as a result of not having addressed the community's concerns, given the ample time that they have squandered in the last decade. And—I say it again—in the western suburbs of my electorate of Hindmarsh they are actually falling further behind in terms of aged-care beds.

What does it say about our society if we do not even provide sufficient care for our parents or our grandparents? We, as a society, owe it to our senior residents to make proper care available. These are people—I have said this many times—who have fought in wars and who have worked all their lives to build the foundations of our nation. They have paid their taxes. We are hitting them with another tax, the GST, in their old age. We should be offering them all the assistance we can so that they can live out the remainder of their lives knowing that they will be cared for in an aged-care facility, if that is what they need.

Finally, coming back to schedule 1 of the amendment bill, gifting is being brought into line with rules applied through the Social Security Act 1991 for age pensioners and the Veterans' Entitlements Act 1986 for the calculation of testable assets. It is broadly held that this consistency promotes equity of access by giving people with greater capacity to pay their way the responsibility for doing so and targeting available government assistance to those most in need. This is a principle with substantial history in Australia and is generally supported as being fair and reasonable.

Mr HAYES (Werriwa) (6.14 pm)—Our ageing population necessarily dictates that policies aimed at delivering high quality outcomes to our aged will receive an increasing focus as the years roll by. This is an important area of public policy and should be driven by the notion that our elderly citizens require respect having regard to what they have developed and continue to develop in their own communities and what they have achieved through their contributions to the nation as a whole.

I am sure that in the coming years there will be many controversial decisions and much debate about the future policy programs to deal with the issue of an ageing population. I am sure that everyone in this place will have the desire to avoid the mistakes of the past which have led to the much-
reported scandals that have taken place, some of which were mentioned only a moment ago by the member for Hindmarsh. Such scandals should not be allowed to occur and, quite frankly, these are matters that should be dealt with. I will make a contribution on what the Aged Care Amendment (Residential Care) Bill 2006 should have been looking at a little later.

All decisions on aged care both now and in the future should be based upon delivering a better quality of life for the residents of those facilities and providing a degree of security and surety to the families of residents and the loved ones who will benefit from aged care being provided in a proper manner. The bill, while largely technical in detail, deals with two important aspects of aged-care policy. These are important areas not only for those contemplating residency in an aged-care facility but also for families of those for whom care is considered to be essential to preserve quality of life.

Schedule 1 of the bill is aimed at amending the Aged Care Act 1997 to harmonise the aged-care and pension asset test in relation to income streams and gifted assets under the assets test for entry into permanent residential aged care. This was a budgetary announcement, supported by Labor. This measure is about equity in the treatment of assets and it was the product of recommendations by Professor Warren Hogan in his Review of pricing arrangements in residential aged care, which was handed down in 2004. Under current arrangements, the total amount of gifts—that is, assets that can be given away prior to entry to a permanent residential aged-care facility—are excluded from the calculation of the value of assets under the aged-care assessment.

Schedule 1 allows gifts of income streams to be treated in the same way that they are treated in the Social Security Act 1991 and the Veterans’ Entitlements Act 1986 for the pension assets test. Accordingly, it improves equity and is therefore being supported by Labor. The new arrangement will apply to persons who undergo an asset assessment for entry into permanent residential aged care on or after 1 January 2007; however, given that this was an announcement that was made in the last budget, any gifts made on or after 10 May of this year will be taken into consideration.

The second schedule of the bill amends the act to allow the Secretary of the Department of Health and Ageing to delegate to members of the aged-care assessment teams the ability to extend the maximum number of days of respite for families in need. Again, Labor supports this amendment. Currently people can access a maximum of 63 days respite care per financial year; however, the secretary or delegate of the secretary can increase the maximum number of days by a period of 21 days where there is considered to be a need to do so. Under the amendment proposed in this bill, the secretary will be able to delegate to members of the aged-care assessment teams the power to be able to formally approve an extension of respite care for families. Needless to say, this is a significant improvement in the process. It will cut down on red tape and certainly make it quicker for families to be able to access the additional and much-needed respite care when necessary.

I note from the outset that when considering all aspects of care for older Australians, both now and into the future, it is important that such considerations be made in light of respect for the aged in our community and that it is driven by the desire to improve the quality of life of those either in care or entering into care. Those are relatively straightforward objectives but, when considering the magnitude of the problem in the future, it is
easy to see how these may translate into problematic areas of public policy.

Australia has an ageing population. There is no denying that. Like many other Western nations, due to the advances that we are seeing in various areas of life, including technology, the fact is—and fortunately so—that people will be living longer. The ageing population has significant public policy implications, particularly in the allocation of resources to service an ageing population.

The Productivity Commission projects that the share of population over 65 will rise from 13 per cent to 24.5 per cent of population between 2003-04 and 2044-45. Over the same period the proportion of the population aged 85 and over will undergo an increase from 1.5 per cent to five per cent. At the moment there is an age dependency ratio of around 19 per cent, and this is expected to rise to 41 per cent by 2044-45. What this means is that the number of potential workers for each person aged 65 and over will fall from 5.2 to 2.4. The implications of ageing under those circumstances are quite clear.

While the implications of growth in the number of people aged 65 and over are often considered through the prism of a budgetary bottom line and the resulting increases in health expenditure that future governments may be forced to face, I have to say that recently I had the opportunity to consider it in a completely different light. Recently, I had the good fortune to be invited to the Ingleburn pensioners club. I would like to thank the chair, Mrs Judy Payne, and the secretary, Mrs Freda Grant, for the invitation. What I found was a group of about 40 sprightly seniors. They get together on a reasonably regular basis. As I was speaking to them I gained some appreciation of how fiercely independent this group of seniors were. They did not want to be trapped in their age.

One thing they did emphasise to me is that they did not want to consider not living in their own homes. Part of this sprang from the concerns that I have in relation to my own ageing parents. It was probably actually good to have a number of other people clearly articulating their position to me and what their desires were, which they considered appropriate for their age. One of their desires was to make sure they were fit enough and independent enough to allow them to keep on living in the place that they have called home now for many years. It is too important an element of aged care to not reconsider aspects of this, particularly when we make considerations in the light of future investment and what sort of form it should take in community care to support our aged constituents.

As I noted at the outset, consideration of the impact of decisions of care for the aged should be borne out of considerations of respect and of improving their quality of life. In many cases the respect for and the quality of life of senior Australians, quite frankly, is premised on the fact that they want and should be able to stay, where they are able to, in their own homes. This is important to them, and it is something that we should all be mindful of when we consider the development of aged-care policy into the future, because it also has a significant impact on how we resource community care to facilitate that.

Increasing the proportion of senior Australians who continue largely to care for themselves in their own homes, with the possible assistance of community care, lends itself to an approach to health care supported by Labor—that is, considering health and aged care as part of our economic future, not simply assessing our approach to aged care on the impact it is likely to have on the budget bottom line.
There is clearly a role for expanded programs in community care. Maybe it is about time that this government started considering some health related policy solutions that do not simply result in the cutting back of expenditure and of services. Those who are already dealing with the impacts of the cuts in health by this government, whether they be through shortages in the health workforce or through what has occurred more recently in respect of cuts to the PBS, really know the sort of impact that short-term fixation on cuts and cost reductions is having on the budget bottom line—and what it is going to have, quite frankly, on the population of this country now and into the future.

Another area I would like to speak about while I have the opportunity is a concern that many Australians have when considering future care, particularly of their parents. It is related to this bill, because there were a number of amendments to this bill that were rejected when it was in the Senate. During the debate on the bill in the Senate an amendment was proposed that aimed at making sure that all aged-care facilities in Australia received at least one unannounced inspection, or spot check, each year, in which the facility would be assessed against all of the 44 quality outcomes that are prescribed by the Aged Care Standards and Accreditation Agency. This was an important amendment, and I am disappointed that the government has continued to resist the move to increase the number of unannounced inspections or at least meet the minimum that it promised on various occasions.

There have been many scandals in aged-care facilities in the last few years—and there have been many promises, but little has been delivered. To simply consider the facts, there are at the moment 3,000 residential aged-care facilities throughout Australia. In 2000-01 there were 350 spot checks, in 2001-02 there were 449, in 2002-03 there were 242, in 2003-04 there were 553 and in 2004-05 there were 563. I think the conclusion has to be pretty obvious: even after the promises to step up the program of random checks, and similar promises made by the minister earlier this year, clearly the checks are not taking place, as only about one in five facilities receives one of these spot checks.

There is a reasonable expectation on the part of seniors who are contemplating a future that may include residential aged care and on the part of families who are considering the future care of their parents and relatives that the quality and standards of care facilities will be checked regularly and be overseen by the government. It is not an unreasonable expectation that the government will do everything in its power to make sure that the standards it has set are being met by all possible providers of care, but I fear it is an expectation that is not presently being met, and will not be met, under this government.

I am very confident that you would not find in the aged-care facilities in my electorate the types of abuses that have occurred in the past, to which the member for Hindmarsh and others in this place have referred. I have been to each of the facilities. They are professionally run, and the care they afford to their residents is second to none. I have a number of facilities in my electorate, including Pembroke Lodge, Blue Hills, Frank Whiddon Masonic Home, Scalabrini Village and Maple Grove Retirement Village. These are all excellent facilities. I know that their operators have a deep commitment to providing high-quality care to their residents and a desire to provide the best possible care through their very professional and fantastic staff. Unfortunately, the reputation of aged-care facilities has been tarnished by some of the rogue operators in this industry who have captured the headlines.
I have every confidence that if any facility in my electorate had been subjected to a spot check throughout the year it would have met all 44 of the government’s quality requirements, as specified by the Aged Care Standards and Accreditation Agency. Despite the number of excellent facilities in my electorate in suburbs surrounding Liverpool and Campbelltown, there is certainly a bed shortage. Like many areas throughout the country, there is a shortage of residential aged-care beds and this is likely to increase over time. Currently in the south-west of Sydney there are more than 60,000 people over the age of 70. As at June this year, there were some 5,000 operational aged-care beds in the region but 5,423 beds were needed. So, even before the real pressure of our ageing population descends upon the aged-care sector in the south-west of Sydney, there is at the moment a shortage of 400 beds.

South-west Sydney has a relatively young population, so one can imagine that the shortage of aged-care beds will grow in the future. Imagine what will happen in the not too distant future when the proportion of the population aged over 65 reaches the projected 25 per cent and the proportion of those aged 80 and over reaches five per cent of the total population. The gap between the number of operational beds and the number of beds that are needed must be addressed, and we have to do that now.

While the provisions of this bill are sound, and supported by Labor, the government cannot simply move away from a further commitment to aged care and further support for community care in support of the aged. I welcome the provisions of the bill and I encourage all members to support them in the interests of quality—(Time expired)

Ms HALL (Shortland) (6.34 pm)—I congratulate the member for Werriwa on his very thoughtful and well-researched speech. I think he has highlighted many of the very important facts within the system at the moment, including the implications for our ageing population, the importance of independence for older people, how important it is for older people to stay at home, the need for community care and the need for health and aged care. He has highlighted how the government’s cuts have had enormous implications for older people, for workforce shortages, for pharmaceutical benefits and for people using aged-care facilities. I have not followed the member for Werriwa too often when he has made a speech in this place, but it was a great privilege to listen to his contribution. I think his constituents should be very pleased to know that their member has such an in-depth knowledge of aged care.

The Howard government’s performance on aged care has been appalling. There has been one disaster after another in a flawed system that has created problems for providers, the residents who live in aged-care facilities and their families. This government has overseen a system that has forced aged-care providers to cut costs in order to survive, which in turn has led to staff reductions and corners being cut in order to provide the service. It is a system overwhelmed by red tape and bureaucratic hurdles, and in many cases it cannot guarantee the safety of residents. It is a system that has failed to deliver security to aged-care providers, aged-care residents and the families of the people who need to use aged-care facilities.

Aged-care providers are constantly trying to re-evaluate their programs simply because of the fact of the restrictions and requirements that have been placed on them by this government, and residents are bearing the brunt. It is a system that has seen aged-care residents being given kerosene baths. It is a system that has not seen fit to properly fund aged care. I note the fact that many not-for-profit aged-care providers maintain the qual-
ity of their service only by virtue of their ability to direct money into their aged-care facilities from the charity arm of their organisation.

Having made those opening remarks, I will now go to the legislation that we are considering today. I support the legislation that we have before us in parliament. The Aged Care Amendment (Residential Care) Bill 2006 has fairly simple amendments. The first looks at bringing gifting requirements in line with those in place for people to receive social security benefits. The current system excludes a person’s assets when they are calculating the value of their assets under the aged-care assessment. This enables gifts and income streams to be treated differently, but this legislation allows them to be treated in the same way. This seems to be a fairly equitable situation. The new arrangements will apply to people who undergo an assessment for entry into permanent residential care on or after 1 January 2007, and gifts made on or after 10 May 2006 will be assessable. That is to prevent people from offloading their assets prior to that date if it looks like they will be in need of care in a residential aged-care facility. This will apply not only to a person that is entering into care but also to someone moving from one facility to another.

I think this may get around some of the confusion that sometimes exists with Centrelink. I have, as I am sure other members of this House have, been approached on many occasions by constituents who have had problems with the assessment of assets and the assessment of the payments that need to be made by people when they move into aged-care facilities. Invariably the assessments that have been made have been incorrect. While this should help simplify the system a little, unfortunately it will not do anything to simplify the system that exists within aged-care facilities, because those systems are still very bureaucratic, which makes it very hard for the staff working in those facilities under them. That is to the detriment of those residents living in the facilities. The other aspect of this legislation that is worthy of mention is as follows. Currently people can access a maximum of 63 days of respite care per financial year. Under this legislation, the secretary can increase the maximum number by a period of 21 days where there is a need to do so. The bill allows the secretary to delegate to members of aged-care assessment teams, or ACATs.

I fully support these changes. But unfortunately one of the biggest problems in relation to respite care in the Lake Macquarie and Central Coast areas of New South Wales in my Shortland electorate is that not enough beds are available. So, whilst this legislation is potentially increasing the number of days that people can spend in respite care, the beds still have to be available. Unfortunately, because this government has been asleep at the wheel those beds do not exist.

I will quickly turn to the situation of aged-care beds in the area that I represent in this parliament. The Shortland electorate has the 10th highest number of people over the age of 65 in Australia. I might add that the surrounding electorates also have a very elderly population. By the same criterion, Dobell has the 29th highest, Robertson has the fifth, Newcastle has the 16th and I think Paterson, which is very close by, has the 13th. You would think that an area that has a significant number of people that are elderly would have a significant number of aged-care beds. But unfortunately what we have is a significant bed shortage, which I do not think bodes well for the people of the area.

In the Central Coast area there is a shortage of nearly 600 beds; it is 594 beds. In the Hunter it is nearly 400 beds; it is 381. Anyone who knows that region at all would know that it is quite spread out and that if the
concentration of beds is in one end of that area then the other parts of the region will be disadvantaged, and unfortunately the people of the Shortland electorate are significantly disadvantaged by the distribution of beds. Whilst I have brought this up on a number of occasions with the government in this House, they have failed to address this issue. I have even submitted submissions when the department has been looking at the allocation of beds.

I have great faith in the aged-care providers and facilities within the Shortland electorate. I work very closely with them and I know that they are all very dedicated people. I know that they have been put under enormous pressure because of the changes put in place by this government. That pressure is only exacerbated by bed shortage.

The other aspect of bed shortage that I think is worth raising in this parliament is the number of beds that exist only on paper. It will not surprise you to hear that on the Central Coast the difference between the number of beds that are operational and the number of beds that have been allocated is 560 low-care beds and 117 high-care beds, which means that the government is duping the people of the Central Coast. They are saying that there are 2,059 low-care beds and 1,660 high-care beds on the Central Coast when there are actually 566 fewer low-care beds available and 117 fewer high-care beds available. In the Hunter there is a shortfall of 534 low-care beds and 231 high-care beds. That is less than honest, and I think the government should stand condemned for it.

The fact that we have these shortages that I have highlighted in the Shortland electorate, the area I represent, shows that this government is not providing the service that the people of the Central Coast and the Hunter deserve. Added to that is the fact that there are many people waiting for placement in residential care facilities, both high and low care, and also waiting to get aged-care packages. I have tried to find out just how many people are waiting, and the government will not provide me with that information. I have been told that it is not available. I am very unhappy with that because I think it is only fair that the community be made aware of the fact that this government is not delivering to older people.

The other thing that is having an enormous impact on older people—and younger people, for that matter—in the Shortland electorate is the chronic shortage of doctors. Apart from the fact that in many areas there is one doctor to well in excess of 2,000 people, the implications of the shortage of doctors for aged-care facilities are enormous. I have had staff in my office ring around to see if a doctor is available to take a resident of a nursing home as a patient. In a number of suburbs within the electorate of Shortland doctors have closed their books. One suburb that comes to mind immediately is Belmont. I choose Belmont because it has three low-care facilities and one high-care facility. Not one doctor can or will take a new patient. Therefore, if an aged-care bed becomes available in one of those facilities, it lies vacant. You have a list of people waiting for beds and you have a vacant bed that cannot be filled because there is no doctor to look after that patient. I find that less than satisfactory and so do the people that I represent in this parliament.

The other issue I would like to touch on is the complaints mechanism. I do not think it works. I have had a number of constituents come to see me with a complaint and we have gone through the procedure, and I do not think that anyone has been happy at the end of it. Any facility that has been involved in it has felt that the system did not work for them, and the constituents have not believed
that the complaint has been resolved to their satisfaction.

What I am trying to create here is a picture of a system that does not work. It is a system with a high level of accountability for those providing the care which is less than satisfactory for those people who need the care, a system that is not transparent, a system that needs to be changed, a system that this government introduced and allowed and a system that has failed the people of Australia.

The amendment moved by the shadow minister highlights an issue of concern to us on this side of the parliament—the fact that we believe that there should be spot checks and that every facility should have one spot check a year. When the member for Mackellar was the minister, she promised this parliament and the people of Australia that the Howard government would deliver on one spot check a year. That has not happened. Of the 3,000 facilities in Australia last year, only 563 received spot checks. We do not believe that that is good enough. A spot check that occurs when the facility is not expecting someone to visit is a very important part of the system. Unless the government picks up its act and starts to deliver on those spot checks, the older people and their families—the frail aged people who need to live in those facilities—will feel that the government is letting them down.

In the Senate the government rejected an amendment that would have promised annual unannounced spot checks and enshrined that in the legislation. If the government was serious about spot checks, it would have voted for that amendment. Unfortunately, it appears that it was not serious about it. It voted against it. The people of Australia need to know that this government is not serious about protecting frail aged people and ensuring the quality of care in aged-care facilities.

I call on the government to rethink its position and accept the amendment that has been moved by the shadow minister. I encourage the government to vote to improve the circumstances of older people who are dependent on care and who need to trust the government. I encourage the government to deliver to them.

Mr WINDSOR (New England) (6.54 pm)—I support the Aged Care Amendment (Residential Care) Bill 2006. I would like to make a few comments on aged care. The legislative change that the government is proposing is quite acceptable.

I listened to the member for Shortland a moment ago. I agreed with quite a bit of what she had to say, but I remember a debate that took place in this place—probably two years ago now—where a number of people alluded to the bureaucratic expense of running the aged-care facilities right across Australia. From memory—I stand to be corrected—something like 30 per cent of the total expenditure on aged care was in some way administrative. We have to bear in mind that in delivering services to any community—whether it be aged care or care for younger people or people with disabilities—we do not want to let the bureaucratic process consume too much of the funding arrangements. That is not to say that there should not be spot checks, but if we are going to develop a system where we have 30,000 spot checks we want to bear in mind the cost that that involves and the impact that the cost may have on the provision of beds. We are all arguing for more beds for our particular constituencies.

I compliment the government on the progress that it has made in aged care. There has been a lot of progress in recent years, not only in the number of beds that have been allocated in high and low care but also with the capital works and facilities that some of
our older people are now housed in. Some of the accommodation that our aged-care facilities have is by far the best accommodation that some of those older people will have lived in. There are some outstanding facilities.

In the electorate of New England, there are some wonderful facilities that the community is involved in. Those facilities are very much appreciated by people within the electorate. The electorate of New England has a number of smaller and medium-sized communities. That is not unusual for country electorates. One of the successes that I have seen in my time in the federal parliament—and I compliment the state governments as well as the federal government, particularly the New South Wales state government—has been the multipurpose service arrangements that have been put in place.

For those who do not know about these—and I am quite aware that many in the press gallery would like to be aware of this; it is good to see you here—a multipurpose service, or MPS, is essentially a hospital with an aged-care facility, with the hospital services, the acute care services, being provided by the state government and the aged-care beds being provided by the Commonwealth government. I see this model as being a very successful arrangement between the state and the Commonwealth. It is a great shame that on a number of other levels, with some health and other issues, we have not had that cooperation. There is absolutely no doubt in my mind, and I think most people would agree, that the MPS model has been extremely successful and in fact has changed the fate of a lot of smaller country communities.

I was recently in a little place called Emmaville for their hospital fete. They have a multipurpose service facility. It was one of the first that was developed. I would like to relate their story, because it encapsulates the way in which agendas can be changed if people get involved in the process.

Some years back now—about five or six years back; it might even be seven—the general thrust of arrangements at the New South Wales state government level was that smaller hospitals were becoming fairly uneconomic. To maintain some degree of viability in an economic sense, they were housing aged people who were not sick. In other words, there was a distortion of the arrangements. The Commonwealth, through the aged-care sector, from time to time suggested that these people were not sick and should not be in hospital but should be in aged-care facilities. Obviously, the answer would come back: ‘There is no aged-care facility in our town, so what do you suggest we do with them?’ Even though no-one was actually saying it directly, the agenda was that they should go away—go to a bigger centre, go to the coast or go to buggery. It was a case of: ‘Go somewhere else, but not here, because we do not have a facility for you.’ That was the message that was being sent out quite subtly.

The Commonwealth and the state came together to look at that problem. The electorate of New England had a particularly high residential ratio of aged people in small hospitals who were not sick. As a consequence of that, a number of people formed a committee under the auspices of the state and federal governments. That committee was chaired by a former member for New England, Ian Sinclair, and you would be well aware of Mr Sinclair’s contribution in this place. To his credit and to the credit of the others on that committee, the MPS model was developed as a way of overcoming this dilemma of having aged people in a community where there was no aged-care facility, but who were not sick, having to leave that
community. The MPS model was put in place.

Emmaville was one of the very first communities to receive an MPS. At the time a group of women in this community was headed by a lady called Ellie Seagrave. I will never forget this woman as long as I live. She is still alive—I was with her only a week or two ago. The hospital was called Vegetable Creek, and I am sure many members have visited Vegetable Creek. Emmaville is the site of the panther and the home of Debbie Wells, a lady who could run very fast. Ellie Seagrave and her group of women decided six or seven years back that, although their hospital was getting old and the pressure of the economics of running it was increasing, they were not going to lose their hospital. These women dug in and nobody was going to take their hospital away. This coincided with Ian Sinclair and others looking at what they could put in place. I compliment the Commonwealth government and the state government for the role they played, and I also pay credit to the then state health minister Craig Knowles, who worked with Ian Sinclair. Ian had left parliament at that point but he had agreed to chair this committee.

In the end Emmaville received an MPS, which is a combination of acute care hospital care and aged care. It has been extraordinarily successful. About 18 months ago I was in Emmaville again. They have done tremendous things with their MPS. Ellie Seagrave called me to a meeting and said: ‘You’re the federal member. We need more beds. Go and get us more beds.’ I said, ‘But, Ellie, the facility hasn’t been up and going all that long. When it was put in place, the number of beds was determined by formula et cetera,’ which other members have referred to. I asked what had happened, and I will never forget this lady telling me: ‘We need more beds because people who left Emmaville to go to the coast to retire want to come back. They want to come back to where they lived.’

I think this is a critical point for regional development: a lot of people have left communities in the country not because they wanted to but because they thought there was nothing for them in their later days. We were losing people in their 30s, 40s and maybe 50s who were saying: ‘What happens if we get old here? There’s nothing for us. We should relocate to a bigger centre or somewhere else where there will be some facilities for our future.’ That is a critical message that governments should take on board. But I congratulate the Commonwealth government and the state government for the way they have addressed that process.

The electorate of New England has more MPSs than any other country electorate in Australia, I think, partly because of this anomaly with the smaller hospitals. I pay tribute to a former political candidate for the National Party who ran against me when I first went into parliament in 1991, David Briggs, who administered the health system at that time. I pay tribute to him because he believed, quite rightly, that these people should be able to reside in the communities that they had made a contribution to and, if that meant using a small rural hospital as an aged-care facility when there was not a lot of demand for acute care beds there, so be it.

New England now has an MPS at Emmaville. The MPS at Guyra was opened only about a fortnight ago. In Walcha the tenders are under way. Bingara is getting an MPS. Barraba has one. No-one, including the bureaucracy, really expected that Tingha, a small town and Aboriginal community, would receive an MPS, because of its proximity to Inverell. I think many people are aware that Aboriginal people in particular have an affinity with their place and even 40 or 50 kilometres away is too far. I remember
going to the meeting in Tingha. There were Commonwealth bureaucrats there, and the hall was absolutely packed. It was only a couple of years ago. I remember the Commonwealth bureaucrats were there to break the news to the people—and the state government was complicit in a sense—that they would not be able to have something at Tingha. I think there were something like 400 people in that hall, including some of the Aboriginal elders, and that reversed the process in Tingha. Tingha will receive an MPS, with aged-care beds and a hospital facility.

I give those two examples because they are examples where people on the ground have actually changed policy, particularly the Emmaville people, because of their stand. They were not going to allow a government of any persuasion to remove their hospital. They took that stand and Craig Knowles, to his credit, actually listened. Ian Sinclair, in his time, also listened and developed a model. Those ladies of Emmaville, in a sense, changed policy that is having an impact not only on their town but on many other towns. The people of Tingha and people in many other towns across Australia probably owe something to those ladies of Emmaville. I was at the Vegetable Creek fete about 10 days ago. It was incredible to see the number of people who turned up, the money they raised and the antics they got up to.

Warialda—which is on the edge of my electorate but is partly within a shire that is housed in my electorate—is getting an MPS, and Bundarra has a slightly different, community-driven modification of an MPS. I congratulate all those people, as I did the former Minister for Health and Ageing, Kevin Andrews, when I first came into this place, and the subsequent minister, Julie Bishop. I think they did a good job within the bounds. Obviously, one does not want to stand up and say that things are perfect, but they are not bad. There is room for improvement, but some very positive things have happened in aged care. The new Minister for Health and Ageing—who I do not know terribly well—is obviously new to the job and I wish him well. But I do congratulate both the state and the federal government on the work they have done on those concepts.

I make one slightly less positive comment in relation to our old soldiers—some of whom may be in aged-care facilities; others may not—particularly people who served during the Second World War. Many of us have men now aged 85 or 90 in our electorates who did not serve where there was an angry shot fired and who did not, under the veterans’ affairs legislation, have qualifying service and therefore are not in a position to receive the gold card. The nation is currently trying to encourage young people into the Army. We are even trying to encourage them through a ‘try before you buy’ method—have a year and see how it goes.

We need people in our armed services, but we have this example hanging out there, where people who served for five years during the Second World War, who were prepared to go where their nation or their Prime Minister ordered that they go, who were prepared to put their lives at risk for the rest of us, are now being treated differently from their colleagues. If they happened to be in Darwin one day and not in Darwin the next they are being treated differently. There are people—and I am sure we have them in all our electorates—who trained to be paratroopers, who injured themselves during those jumps, learning to protect this nation, who now need help because of those injuries. To not grant these people the gold card is an absolute disgrace.
I compliment the government on the aged-care facilities, but I think the government should be damned for not providing the gold card to these people and, probably more importantly, for the way that it is treating some citizens differently from other citizens. That is having a psychological effect on many of those people in our communities.

I would ask the parliamentary secretary to convey my remarks to the Minister for Community Services and the Prime Minister. The Prime Minister is constantly saying that this is a nation that can afford to do this and that. If we cannot afford to look after our aged people, particularly those aged people who were prepared to keep this country for the rest of us to be able to live the life that we are now living, then I think it is something that we have to look very closely at.

These Second World War veterans in their eighties are dying at the rate of 800 a month, so it will not be an everlasting 50-year expense to provide them with a gold card. I think it is time that we started to have a good, close look, in a respectful way, at the way we have treated these people. Bearing in mind that we have spent a lot of time in the last few weeks talking about the psychological problems that farmers are having in terms of the drought, many of these elderly men are suffering severe psychological problems because of the way they have been treated. That is partly due to the way in which the RSL treated them after the war. It is very similar to what happened—in their minds; it might not be in ours—to many of the Vietnam veterans and the way they were treated when they came home. These people were prepared to go wherever they were ordered to go. My father served in the Middle East. If the Japanese had invaded Australia, he would have been a hell of a lot of good over there to my mother, wouldn’t he? These veterans were here to defend the nation, had it been invaded, and as older people now I think they deserve the utmost respect of our society and our government. I call upon the government to do the right thing and honour these people with a gold card.

**Dr Stone** (Murray—Minister for Workforce Participation) (7.13 pm)—I would like to sum up this debate on the Aged Care Amendment (Residential Care) Bill 2006. I thank the speakers both from the government and from the opposition who have contributed. I accept the congratulations from the member for New England on the contents of this bill. The Australian government has put an extraordinary amount of additional resources and policy improvements into ensuring that our most vulnerable Australians have a decent life and that they can continue in their communities for as long as possible in their own homes and then go into residential care, if they need it, and that that residential care is as close to their home community as possible.

The member for New England then went on to talk about veterans. Let me also stress to you that there has never been a more understanding and generous response to veterans when comparing this government with any other Australian government. The veterans in my community, and I have a very substantial proportion, are extraordinarily grateful for the standing and the empathy shown to them and the support which is given daily to all Australian veterans.

Let me say that the opposition’s amendment to this bill is, I am afraid, an example of perhaps no-one reading the bill or choosing not to understand it—that is what oppositions do: they simply say no—because, of course, one of the claims in the amendment was a concern about checks and, in particular, ‘failing to protect our vulnerable aged population’. The opposition’s amendment seeks to ensure ‘that all residential aged-care facilities receive at least one unannounced
spot check every year’. The member for Shortland, in her remarks, made a great deal of this particular situation. Of course, from 1 July 2006 the Aged Care Standards and Accreditation Agency Ltd has increased these spot checks. They are conducted each year in residential aged-care homes. They have increased from 886 in 2005-06 to around 3,000 per year. The agency receives additional funding of $8.6 million over four years to conduct these additional spot checks. It is expected that the target of one spot check per home per year will be fully met. The agency also undertakes other visits and around 5,200 in total will be made to aged-care homes each year.

Further, under the new complaints handling process to be introduced on 1 April 2007, departmental investigators will have the power to conduct unannounced visits to homes. So quite clearly this bill more than understands and caters for a full and comprehensive checking process for aged-care facilities, and indeed we have already brought about a substantial improvement in the systems of old. There are a range of other measures already in place to ensure that our older Australians have the very best possible care—in fact, world best care. These include a complaints resolution scheme, an aged care standards and accreditation scheme and the payment for police checks for volunteers under the Community Visitors Scheme, which was announced in May 2006.

On top of this the Howard government has announced an additional $90 million to create a new aged care commissioner position and to create a new office for aged care. There will be new, vigorous complaints investigations—I have already referred to some of those—and compulsory reporting of abuse and legal protection for whistleblowers. We understand just how vulnerable a resident in an aged-care facility may be and we also recognise what might happen in some places that are not best practice and up to standard when someone does make a complaint on behalf of an elderly resident. So that additional $90 million can hardly be seen as anything other than a substantial additional investment in the care of our elderly, making sure they have a safe and homelike environment. I do recommend that the member for Shortland become better acquainted with exactly what is currently in place to assist our elderly and that she carefully read the contents of the bill, because it will help her no end to understand how the system works.

Let me also go on to say that the legislation makes amendments to the Aged Care Act 1997 and the effects of these amendments, as I have said, will be of great benefit to older Australians but particularly those living in residential aged care or considering entering residential aged care. In the 2006-07 federal budget the coalition government announced that it will bring the treatment of assets for aged-care purposes into line with the treatment for pension purposes in relation to limits on the gifting of assets and the concessional treatment of complying income streams. This legislation gives effect to these changes. It will enable Centrelink and the Department of Veterans’ Affairs to streamline their systems so that they no longer have to assess gifted assets differently, which caused great confusion and uncertainty in families and to individuals. These aged-care assets assessments have been undertaken on behalf of the Department of Health and Ageing. This new streamlined process should prevent a pensioner who has been assessed as eligible for residential aged care from gifting away most of their assets before entering care in order to try to avoid paying an accommodation payment so that they can become eligible for a government concessional residential supplement.
From September 2007 the treatment of income streams purchased on or after 20 September 2007 will also be aligned. Income streams purchased prior to 20 September 2007 will continue to enjoy the 100 per cent exemption from the aged care assets test that currently applies. Residents and prospective residents will be better able to make decisions about their care needs as a result of these changes because they will have greater certainty about their financial situation and status prior to entry to the aged-care facility. It is not a time for families and individuals to be worried. People will know that what applies to their pension in dealing with Centrelink or the Department of Veterans’ Affairs will also apply to their assets situation when going into permanent residential aged care.

This legislation will also remove uncertainty about the powers that aged care assessment teams, otherwise known as ACATs, have in approving extensions to the length of time of residential respite care. This legislation will allow the secretary to delegate the powers to increase the maximum number of days allowed by periods of 21 days where there is a need to do so. That delegation will go to ACAT delegates. This will make the process for approving additional respite care for individuals simpler and quicker.

This legislation also delivers on the initiatives of the 2004-05 Investing in Australia’s Aged Care: More Places, Better Care package. In particular, it addresses streamlining administration. The coalition government has a long and strong commitment to ensuring a robust and viable aged-care sector. We want to see our older Australians who built this country provided with high-quality and affordable care. We know that they are amongst the most vulnerable and needy in our country and we owe them a great deal of respect and very careful support in their older years. I commend this bill to the House.

The DEPUTY SPEAKER (Mr McMillan)—The original question was that this bill be now read a second time. To this the honourable member for Lalor 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.

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

Third Reading

Dr STONE (Murray—Minister for Workforce Participation) (7.22 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

INSPECTOR OF TRANSPORT SECURITY BILL 2006

Cognate bill:

INSPECTOR OF TRANSPORT SECURITY (CONSEQUENTIAL PROVISIONS) BILL 2006

Second Reading

Debate resumed from 18 October, on motion by Mr Vaile:

That this bill be now read a second time.

Mr BEVIS (Brisbane) (7.23 pm)—On 4 December 2003 the Howard government announced its intention to create the position of the Inspector of Transport Security. It is a sign of the Howard government’s mismanagement and incompetence that it took more than two years after the September 11 terrorist attacks in the United States in 2001 for it to even accept the need for a senior inspector of our transport systems. Having an independent expert running a ruler over our aviation, land and maritime security operations is an invaluable audit of our preparedness to
prevent or disrupt potential terrorist attacks targeting Australia or Australians. Since 9-11 it has become clear that terrorist organisations continue to see mass transport systems as attractive targets. In spite of the repeated statements from various Howard government ministers seeking to score political points out of the current security situation, they did precious little about fulfilling this important role.

It was not until 23 November 2004 that former AFP Commissioner Mick Palmer was appointed as the Inspector of Transport Security. That was nearly a full year after the announcement that the position would be created. It took a full three years after 9-11 for the Liberals to get someone to work on this important task. As with so many other areas of policy, the Liberal government has been more interested in the political spin than in taking the sensible, practical measures necessary to make travel as safe as possible in a new climate of threat. But even here, with this appointment, the Howard government is playing a game of smoke and mirrors. The government has engaged the inspector on average for only one day a week. We have had a part-time Inspector of Transport Security at the same time as terrorist attacks on mass transport systems have increased.

On 7 July 2005 terrorist attacks on rail and bus systems in London killed 56 people, including one Australian, and hundreds more were injured in that appalling attack. Two weeks later, on 21 July 2005, four terrorists attempted bomb attacks that disrupted part of London’s public transport system. Stations were closed and evacuated. The intention of the terrorists was to cause large-scale loss of life, but luckily only the detonators of the bombs exploded. On that occasion, innocent travellers were lucky. In March 2004 we saw terrorists successfully attacking a commuter train in Madrid. More recently, in July this year, we have seen terrorist bomb attacks kill innocent people on a train in Mumbai in India. On 11 August—almost three months ago now—the United Kingdom went to its highest threat level after authorities arrested 24 suspects in a plot to blow up as many as 10 passenger jets leaving Britain for the United States.

Meanwhile, here at home, we have seen repeated breaches of security in the Australian transport industry. All the while, the Howard government has been asleep at the wheel. In Western Australia there was the incident in March last year when three drunken men decided for a bit of a lark that they would jump the fence at Perth International Airport. They walked across the tarmac and, in fact, boarded an empty Qantas passenger plane. Thankfully, they were there for a drunken lark; they could easily have been there for far more sinister purposes. You might think that if security were to be top-class in one place in Australia it would be at Australia’s busiest airport in Sydney; yet, sadly, we know that is not the case. Earlier this year I raised in this parliament a number of breaches of security at Sydney airport. There was the incident in July this year where vehicles tailgated through a security gate. The gate was allowed up to enable one vehicle with a security pass to pass through. Two other vehicles quickly followed through without authority. On that occasion, it was again a case of good luck rather than good management. The two vehicles involved in breaching security were in the midst of an act of road rage. Again, contemplate what might have been the case had that been a planned attack, if it had been terrorists who wanted to get into Australia’s largest airport.

One of the great pities of that incident, as with a number of others, is that the exact problem was drawn to the attention of the government by the UK expert Sir John Wheeler, who delivered a report to the gov-
ernment in the second half of last year identifying a range of problems. He specifically mentioned the problem of vehicles tailgating through security checkpoints at airports. Twelve months after he pointed out that specific problem, we saw examples of it at our largest airport. Then there was that rather famous timber chock that was loosely securing a door on the public side of the airport. The only thing stopping the public walking into the secure area of the airport was a piece of timber in the track of a sliding door. You could lift up the piece of timber and the sliding door would open, allowing you entry into the secure side of the airport. When presented with this in the chamber, the minister sought to deny it, in spite of the photographs we were able to produce of the door and the bit of timber.

And who can forget the camel suit at Sydney airport? In April 2005 a baggage handler managed to get a camel suit out of one of the checked bags. That is the sort of thing we could all have a laugh about in certain circumstances but, of course, this was a secure item in a secure area of one of the most important transport hubs in the nation. If a person could easily get to that baggage and take items out, they could just as easily put something in. We know that a number of people who were working at Sydney airport were subsequently removed. Not all of them were removed for reasons associated with the camel suit, but some were removed for security reasons.

But it is not just at our airports that Australia has had these problems; we have seen disasters waiting to happen at our waterfronts and in our ocean lanes. This government has handed out voyage permits for foreign crewed ships, foreign flag of convenience vessels, as if—and I have described them in the past—they were tickets in a chook raffle at a Friday night pub draw. No review has been conducted by this government of the background of the ships or of the crew. The truth is that these ships are flagged in places like Panama, where there is no way of properly identifying the ownership and background of the vessels, and the government makes no real effort to get a security clearance on the individuals who crew the ships, yet those ships carry dangerous chemicals around our ports. On many occasions in this parliament I have raised the example in September of last year of one of those vessels, the Pancaldo, travelling around the Australian coastline on a voyage permit, carrying 3,500 tonnes of ammonium nitrate. Ammonium nitrate is the explosive of choice that terrorists have used around the world for some years. Its use has been regulated by agreement with COAG, but the Commonwealth allows its widespread use by flag of convenience vessels with crews who have never undergone security clearances here in Australia, unlike Australian crewed vessels, where maritime security identity cards provide thorough background checks on all Australian seafarers.

Then, of course, there is land transport, with rail stock and commuter transport. We do not have to travel far around Australia to find rail stock with graffiti on it. That graffiti is often viewed by some—those who created it—as a work of art. They spend some time graffitiing the train to have what they regard as their work of art on display. They are in what should be secure areas for 30 minutes, one hour or two hours doing their graffiti, their so-called artwork. The truth is that terrorists need only a few seconds to deposit a bomb.

Then there is the problem we have in our regional airports, from which, as we speak today, there are flights into major centres like Sydney, Melbourne and Brisbane, where passengers hop on the flights without ever having any check done on what they are carrying onto the flight. There is no inspection
of either them or their carry-on baggage. They could take weapons on; they could take bombs on; they could take a hand grenade on. Frankly, no-one would know because no checks are performed on them. Again, it is a serious flaw in our transport security network, which was identified by Sir John Wheeler more than a year ago and is still being neglected by the Howard government.

Just two weeks ago Sydney airport had to be partly evacuated precisely because of that problem. A flight arrived from Wagga Wagga and people who had hopped on the flight had never been scanned and had never had their luggage checked; they could have been carrying weapons or explosives. They wandered off into the wrong area of the airport and, all of a sudden, they were in a secure part of the airport without ever having been checked. When the authorities realised there was a problem, they had to evacuate part of Sydney airport and put everybody back through the security points.

These are the problems that have been occurring on a regular basis, but I have mentioned only a couple of them because of time constraints. In the five years since 11 September 2001, when the world was put on notice that public transport systems were a target for terrorists, this government has been asleep at the wheel. It has taken years—in fact, until tonight, it has taken five years—to put in place an Inspector of Transport Security and provide that person with the legislative basis for their work. Even after his appointment, the inspector had no legal powers to do anything. Labor has been calling for legislation to underpin this important job for years. Finally, last year, on 23 May, the government announced its intention to underpin the inspector’s role with legislation. We applauded that. Labor has consistently argued that the Inspector of Transport Security have legislation authorising the important tasks that need to be performed by the person fulfilling that role. Some 17 months later we finally have a bill in this parliament—that is, five years after 9-11 the Howard government has managed to complete, or nearly complete, the process of establishing the Inspector of Transport Security. I have recently described that progress as akin to a snail on sleeping pills.

Who would seriously contemplate this as a response to the threat of terrorism, a response to the 9-11 disaster, a response to the Madrid train bombing, a response to the London bombings? Who would credibly accept that in the face of those threats a reasonable response of a diligent government is to wait five years before actually getting a senior Inspector of Transport Security on the job with a piece of legislation to say what he can and cannot do? Finally, on 18 October this year—just a couple of weeks ago—the government tabled this bill in the House of Representatives after what can only be described as a disgraceful and unacceptable delay in the face of a dangerous list of terror attacks overseas and flaws in our own system.

Labor supports the Inspector of Transport Security Bill 2006. However, there are flaws in it that need to be rectified, as well as improvements that need to be made to enhance the inspector’s role and the independence of the inspector. I want to quickly refer to just a couple of provisions in the bill and then address those areas where further improvements are required. Clause 80 requires the inspector to minimise disruption to transport. That is a sensible provision—Labor wants commuters to be safe and on time.

Clause 81 correctly obliges the inspector to act consistently with Australia’s international obligations, and that is a sensible provision, of course, that we support. From time to time it may be appropriate for states and territories to confer powers and functions on the inspector, and clause 83 of the bill allows
that temporary passing of powers from the states to the inspector to occur.

The bill also ensures the interests of the states and territories are protected. The consent of the relevant state or territory minister is required before the Inspector of Transport Security can conduct an investigation into a matter that falls within their jurisdiction. I have no reason whatsoever to doubt that all of the states and territories would work cooperatively with the Commonwealth and the Inspector of Transport Security, especially in the event of an incident or a terrorist attack.

But there are five particular areas of this bill that we think require improvement and amendment, and during the consideration in detail I will be moving amendments to give effect to these matters. This bill claims to provide a framework for independent inquiry and recommendations in relation to transport security and offshore security matters. Under the bill, though, the inspector has no power whatsoever to independently initiate an inquiry of his or her own volition.

The Minister for Transport and Regional Services, Mark Vaile, has made some statements about this bill but, like so much of what the government tell you, the devil is in the detail. The minister for transport has said:

The strengths of the legislative framework to support the role of the Inspector of Transport Security include: the independence of the inspector ...

I am not quite sure what definition of ‘independence’ the minister had in mind but it is certainly not the simple English view of independence. The truth is that the inspector has no power whatsoever for an own-motion investigation into a federal matter. He can only investigate what the minister wants investigated, not what needs to be investigated. Indeed, the bill determines that the inspector is not allowed to look at anything until the minister authorises it. Subsequently, the minister can withdraw that authorisation before a report is produced. That is hardly a common-sense definition of an independent inspector. This is somebody well and truly under the yoke of the minister of the day. You might as well make the person a ministerial staffer and put them in the minister’s office. They can only do what the minister wants when the minister wants. That is not what we need if we are going to properly protect the Australian travelling public.

The government have tried, also, to slip in a clause to remain lazy on security. Clause 25(3) of the bill says that the inspector may be appointed on a part-time basis. It does not require him to be appointed part time but we know that that is the government’s form. On average, the inspector has only been asked to work one day a week. Protecting Australians on our transport system is a full-time task. We will move an amendment to stop the government providing Australians with part-time security.

A properly operating Inspector of Transport Security will play a key role in security and counterterrorism matters. By its very nature that will involve access to classified and sensitive material, some of which cannot be made public. However, that does not mean that you cannot have transparency or accountability. As with other senior positions, like the Inspector-General of Intelligence and Security—and also positions such as the director of ASIO—appropriate involvement of the Leader of the Opposition of the day provides public confidence that necessary secrecy is not a cloak for hiding poor performance or improper activities.

We should bring this bill into line with the principles enunciated in the Inspector-General of Intelligence and Security Act 1986. Before a recommendation is made to the Governor-General for the appointment of a person as the Inspector of Transport Secu-
rity, the relevant minister should consult with the Leader of the Opposition in the House of Representatives. That is a provision similar to section 6 of the Inspector-General of Intelligence and Security Act 1986. Similarly, the relevant minister should give a copy of a report furnished under subclause (1) to the Leader of the Opposition in the House of Representatives but, in accordance with the similar provisions that apply to the Inspector-General of Intelligence and Security, there would also in the act be a duty on the Leader of the Opposition to treat as secret any part of the report that is not tabled in a house of the parliament.

That brings me to questions associated with public access to reports. Clause 64(1) of the bill states:

The Minister may table a copy of a final report, or part of a final report, in the Parliament, if the Minister thinks that it is, on balance, in the public interest to do so.

In other words, the bill proposes an Inspector of Transport Security who is not allowed to look at anything unless the minister says he can. And the bill then says that, having investigated a matter and reported to the minister, the minister can decide at his absolute discretion whether or not he tells anybody what the Inspector of Transport Security found. So if it is a bit embarrassing for the minister or the government day it will not be a hard task to put it in the top drawer and never have it seen again.

That is not how the nation is going to secure our transport networks against the threat that it now confronts. The word ‘may’ should be changed to ‘shall’ to make it a compulsory requirement to table some report for public consumption. As is customary in matters of this kind, the report tabled may, in fact, be an edited version of a classified document. Sir John Wheeler’s report on aviation security is a clear example. Indeed, I know a few people who wondered why our own Inspector of Transport Security could not have undertaken that review. In any event, it illustrates the process which Labor believes should be followed in this case. I will be moving amendments to give effect to those changes when the bill is considered in detail.

We are also debating the Inspector of Transport Security (Consequential Provisions) Bill 2006 associated with the Inspector of Transport Security Bill 2006. That consequential provisions bill is important in that it encourages the voluntary disclosure of information under the Inspector of Transport Security Bill 2006. The object of the bill is to provide an exemption from a request under the Freedom of Information Act for information gathered by the Inspector of Transport Security in the course of the inquiry. It is important to encourage people to provide the inspector with intelligence on security and safety matters. A lot of that inside information is often personal. It can save lives by identifying vulnerabilities quickly and accurately. However, it is important that information be kept confidential. In reading through the international standards and recommended practices to the Convention on International Civil Aviation, a rationale for controlling freedom of information disclosure in aviation matters is articulated. These views are relevant to controlling access to data on black box recorders and I believe they are appropriate and relevant in dealing with the other matters that the Inspector of Transport Security would be obliged to investigate.

This fact was recognised by the 35th assembly of the International Civil Aviation Organisation which noted that existing national laws and regulations in many states may not adequately address the manner in which safety information is protected from inappropriate use. The sole purpose of protecting this information from inappropriate use is to ensure its continued availability so that proper and timely preventative action
can be taken and aviation safety improved. The bill protects the information generated or gathered by the inspector in the course of an inquiry from being released under an FOI claim and supports the other confidentiality provisions in the main bill. The inspector’s inquiries will be conducted on a no-blame basis and that is clearly an appropriate thing. Information generated or gathered in the course of inquiries cannot be used as evidence in civil or criminal proceedings except in very limited circumstances set out in the main bill.

Clause 67(3) of the bill permits the minister to issue a certificate indicating that disclosure of the information in a civil proceeding or coronial inquiry is not likely to interfere with an inquiry under this bill. For the information to be disclosed to a court or coroner, clause 67(5) must also be satisfied. These are all sensible provisions to enable the release of information where it is not in any way going to impede either the inquiry or subsequent inquiries and access to information that is going to, in other events, save lives. Clause 67(4) permits disclosure of information in a criminal proceeding where the minister has issued a certificate stating that the disclosure is not likely to interfere with an inquiry. The minister may only issue a certificate if the criminal proceeding is for a serious offence and the disclosure is necessary to establish a chain of evidence.

Clause 67(5), to which I referred earlier, permits a court or coroner to order disclosure when the court or coroner considers the adverse impact of disclosing the information is outweighed by the public interest in the administration of justice. Labor has no objections to these provisions. Clause 67(6) permits a court or coroner to place conditions on the publication or communication of protected information that is to be disclosed or ordered under the subclause, including any information that may be obtained from such information. These are important protections.

We all know the important use of black box data—the information of what is said in cockpits—and its vital role in enabling post-incident investigations. Ultimately, the purpose of that is to prevent accidents from happening again. It is important to ensure that access to the full information is maintained and these provisions, I think, go a long way to applying that standard to the role of the Inspector of Transport Security; we think they are appropriate. The procedure reinforces the policy intention that, except in extraordinary circumstances, information collected for the purposes of an inquiry conducted by the inspector should only be used for that purpose. Labor endorses this provision. It is consistent with Australia’s international obligations with respect to the collection and use of information arising from safety incidents involving transport.

That takes me back to the general purpose of the bill and the Howard government’s performance on this matter. There has been a very unsatisfactory five-year delay in putting in place what is potentially a very important role in improving the security of Australians, whether they are travelling by air, on land or at sea. These are difficult times for many countries in the world to grapple with. There is a new threat that affects people in their normal daily lives in a way that we are not used to. When we turn on our televisions and see what happened on September 11 in America, or when we see what happened in July of last year in London, it affects all of us profoundly and sits in the back of our minds when we travel as well. It is important that when people travel they have the full confidence that all reasonable measures that can be taken have been.

I have cited in my speech a raft of examples where security within Australian airports and on maritime matters has been well below
what any competent performance would deliver. The government have not been diligent in addressing these matters. They have been quick to get the political spin out there; they simply have not been quick to do the sensible, practical things that are needed. I hope that the Inspector of Transport Security is given the independence the minister spoke about—and that will only happen if our amendments are adopted. And I hope he fulfils that role of ensuring not just that there is an investigation post incident but that his vast experience and the powers that this bill confers are used to take preventative measures so that all of us in Australia, when we travel, do so knowing that all the things that can be done to make that travel safe have indeed been done. 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:

(1) notes the failure of the Howard Government to appoint a person as Inspector of Transport Security until one year after the announcement of the position;

(2) notes that the Howard Government finally committed to underpin this important job with appropriate laws in May of 2005 but has only now introduced legislation into the House for that purpose;

(3) condemns the slowness with which the Howard government dealt with the important role of Inspector of Transport Security;

(4) condemns the Howard government’s dismissive use of the Inspector of Transport Security who has been engaged on an average of just one day a week in spite of repeated failures in security in the Australian transport sector at the same time as terrorists have targeted aviation and rail transport over years; and

(5) condemns the Howard Government for its failure to engage the Inspector of Transport Security in a full time capacity”.

Mr Murphy—I second the amendment.

Mr TUCKEY (O’Connor) (7.53 pm)—I have read what one might term the pious amendment proposed by the member for Brisbane. I have listened to his speech and I understand he may have some amendments in the consideration in detail stage. I wonder when he has ever talked, for instance, to his Labor colleagues in New South Wales, who of course legislated to prevent adequate video surveillance in Sydney airport’s baggage area, particularly in the Qantas international area. After all, what was the area of concern? The area of concern was that some trade unionist who was rifling through someone’s bag might get caught. That was the dominant requirement of the New South Wales government. They will shortly have an election, and one wonders whether we are going to debate that issue. But when you want to lecture this government you should have some explanation of the activities of your own colleagues who occupy government in our states with a very significant responsibility for the activities of transport and its security—after all, I still think they employ their local police forces. Some doubt what their benefit might be.

It was interesting to hear the member for Brisbane make the point that some people got into the wrong part of Sydney airport, having come in from Wagga Wagga. He said that, when the authorities recognised this problem, they did something about it. So that is an issue. The system worked. We will never gain perfection in the management of the thousands of people who participate in air travel every day but, on this occasion, belatedly, the authorities recognised what had happened. They inconvenienced a lot of people by sending them outside and making them come through again, but they addressed the problem.

What has become so significant in this place—and the member for Brisbane is
participant in this—is that the opposition constantly puts political opportunity above the safety of the people. The Labor Party recently got a large colour photocopier at the expense of the taxpayer—and they abused the privileges of this House yesterday; I note the Speaker is eventually going to make some response to those sorts of activities—and the member for Brisbane came into this place with photographs purporting to be some door that was not locked. Why, on the first occasion he was informed about that, did he not take it to the minister and see that the door was locked? Because, in the time he waited to come in here and perform his little political exercise, all the things he has told this House about could have happened.

We get it day after day: people standing up with the hard luck story—usually false—about some individual who is being mistreated under recent laws brought to this House by the government. But if there is a true and real problem and someone is being exploited in the workforce, why not go and get it fixed? Mr Deputy Speaker, you, the two senior members sitting at the table and I are required every day to represent the problems and the rights of our constituents—and we do it. And we do not ask them how they voted at the last election. But the policy that seems to be so apparent on the opposition’s side of the House is: ‘Oh well, you know, if the poor lady hasn’t been able to get to the hospital for a month and she has pain and suffering, it is better that I take advantage of it in this place.’

Mr Price—Mr Deputy Speaker, I rise on a point of order. With due respect, this is an important national security bill. I encourage a wide-ranging debate, but clearly the member for O’Connor is not being relevant to the bill. I am interested in his contribution, but it should be on the bill.

The DEPUTY SPEAKER—Can I say to the member for Chifley that I think the debate has been, from the member for Brisbane, quite wide ranging. I call the member for O’Connor.

Mr TUCKEY—I am more than willing to comply with that requirement. But I would point out to the Opposition Whip that I am referring to activities conducted by the previous speaker, the member for Brisbane, and referred to in his speech. Let us look closely at some of the things that the member for Brisbane said in his presentation to the parliament. He complained that the inspector would be subject to ministerial directive. This is the Inspector of Transport Security Bill 2006. Might I say at this point that the member for Brisbane talked about the fact that the inspector might not be employed full time—in other words, five days a week—to turn up on Monday morning and say, ‘Hey, where’s the failure in the system that I’ve gotta look at this morning?’ It might not be there. Or are we to give him a big staff, with uniforms, to dredge through the various transport sectors looking for some trouble? No.

The intention is that the inspector and his advisers, with their wide-ranging experience, will look at transport security issues and advise the minister where the government is failing in its responsibility to the people. That is his job. He is not a cloak and dagger man. The legislation makes it very clear that every aspect of his inquiries must not impinge on other activities, if there is a breach of other laws—and, of course, the member for Brisbane even made passing reference to the Australian Transport Safety Bureau. I am not sure that safety stops at the door of terrorism—I do not think it does—but we have to look at common-sense outcomes. We have debated that in other legislation today.

The English adviser who was brought out to advise the government and to analyse the efforts of the government made it very clear
that you need to have a response to various levels of risk. One of the airports in my electorate has full surveillance. It is the airport for the tiniest town in the world but, because of a fly-in fly-out procedure for a major mining construction process, it is being serviced by jet aircraft. It is an about twice the size of a garage but it has the most sophisticated X-ray equipment et cetera. Why? Because there are jet aircraft. At two other airports with much more significant traffic movements we do not have those processes. There is not much evidence that anybody is likely to commandeer the aircraft; it would run out of fuel very promptly. When you get to Perth Airport, you go into the arrivals section and either go home or go back through security to join another flight.

That is an adequate response in those circumstances. I guess that somebody could get on one of those aircraft with the intention of destroying it, but the evidence is that that is most unlikely. Consequently, I have looked really closely at some of the other comments that have been made by the member for Brisbane. He also said that, in all these matters, the information the inspector might accumulate has to be announced in this parliament, and he went so far as to say that the Leader of the Opposition might be consulted. Were there to be a change in the representation in this House, from one side to the other, there is a fair chance that that would be managed in a proper fashion. But, as I have observed the activities of the opposition over the last 10 years, I cannot remember a time when common sense and the interests of the community have prevailed over political opportunity. So why would you tell the present Leader of the Opposition, when, day after day, he demonstrates that the only thing he wants out of this is political advantage? I have seen this in another area. When people approached him to seek his assistance for their financial future, the advice that came out of his office was: ‘If you haven’t got some dirt on the government, I can’t help you.’ What are we talking about here? We are talking about public security. We are talking about a process.

Mr Price—Mr Deputy Speaker, I rise on a point of order. If the honourable member for O’Connor wants to reflect on the motives and actions of the Leader of the Opposition, he needs to move a substantive motion. I would ask that he either move a motion or withdraw the comment.

The DEPUTY SPEAKER—The member for O’Connor will withdraw the comment.

Mr TUCKEY—I withdraw. But I am only commenting on what the member for Brisbane presented to this parliament. He wants it to be a compulsory requirement that all the things that the inspector is supposed to consult upon and inquire into be made publicly available. In those circumstances, how many people are going to give him the evidence he needs? He is there to advise the minister to conduct inquiries and to do the things that are necessary to upgrade the government’s performance in this area. We have all sorts of cops out there who will deal with the day-to-day issues. Of course, the reason that the taxpayer does not have to keep this man around from nine to five is that he will be called upon to advise the government when the need arises—and let us hope that the need never arises. Let us hope that the authorities at the various points of transport perform adequately in ensuring that the laws that have already passed this parliament are complied with, and let us hope that we are fortunate enough not to suffer a terrorism event—and, unfortunately, that cannot be guaranteed.

On other aspects of the bill, I have to express concerns about the government’s policies. I represent a large rural electorate where people deliver fertiliser to their properties in
road trains, yet with two or three shovels of fertiliser and the appropriate alteration—pour some diesel on it and find a detonator or, preferably, a short stick of gelignite or dynamite—you have a bomb. Just how far can government ask people to go in the normal activities of their business to secure that product? It is a really serious problem and I wish I had an answer. But my plea is that there will be a bit of common sense relative to the risk assessment of those goods. I have read papers which have suggested that, if you are driving your own truck with 20 or 30 tonnes of this stuff and you stop for a cup of tea at one of the roadhouses, you are supposed to have it inside the truck. I hope they have designed the roadhouse that way.

The reality is that we have got to be a little careful, and I think what the member for Brisbane is asking for today is a direct contradiction of those remarks. He is taking the opportunity, from the privilege of opposition, to tell the government to go beyond a reasonable level of requirement, because he is on about every regional airport—and we know there are hundreds, if not thousands, of them. Instead of taking the advice of the British security agent who said, ‘You must risk-assess these various regional airports,’ he is saying, ‘No, we want total control everywhere.’ But I am not aware that he ever asked Premier Carr, I think it might have been, to allow surveillance in the luggage areas of Qantas. It was not that it was not allowed; the fact of life was that it was prohibited. I think that has now been resolved.

This is good legislation. It provides principally for the independence of this inspector. I am not saying that he is not independent because he operates at the direction of the minister of the day. The minister will be confronted from time to time by correspondence or by the media for whatever purposes and will have drawn to his attention matters that are of interest, and I expect that the minister will give a directive that the inspector look at it. He does his inquiries on, quite properly, a no-blame basis—and I thank the member for Brisbane for his support of that provision. There is protection of information collected as part of an inquiry. Notwithstanding the fact that I thought the member for Brisbane endorsed that proposal, I thought he got a bit wobbly about it, because in another breath he wanted to have the Leader of the Opposition and someone else know about it—and a secret once repeated is no longer a secret. There is recognition that the work of investigating agencies should not be interfered with by inquiries undertaken by the inspector.

In those four provisions we get a clear description of what this particular job is all about. We have the Australian Transport Safety Bureau, we have state departments for road transport and we have all sorts of other agencies with specified tasks relating to the conduct of that area of transport. This is an overriding position that looks specifically at security. The minister might give the inspector a directive one day, saying, ‘Look, what about so-and-so? Do you think legislation and other activities are adequate in that regard?’ and the person currently occupying the post has a wealth of experience—and, I might add, courage—to look at those issues. We asked him to do another inquiry and I am not sure we came out of that smelling of roses. He was very hard on us, and obviously he has demonstrated his integrity in that regard. I would expect that, be it he or someone else in the future, they will value the integrity of the post and deliver accordingly. But this is not a position for day-to-day surveillance of other aspects of transport, and I think the legislation has properly covered these matters. That it has taken another year is one of the criticisms that we have received, and the opposition says it:
... condemns the Howard government's dismissive use of the Inspector of Transport Security who has been engaged on an average of just one day a week in spite of repeated failures in security in the Australian transport sector at the same time as terrorists have targeted aviation and rail transport over years, and

What is that supposed to mean when in fact the best that the opposition have been able to bring to this House is a photograph of some door that, from their point of view, was supposed to be locked?

Mr Danby—We’ve got more than that.

Mr TUCKEY—The interjection that I have just received is interesting. Well, I tell you what: if there is such a door and the member who said that has not provided that information to the appropriate authorities, he is delinquent in his responsibilities as a member of parliament. This was why the Chief Government Whip complained a little while ago, after I pointed out the abuse of this place on the grounds of bringing up issues where the individual member has made no attempt to present the problems of the individual or the issue to the appropriate minister. Bring them up later if you like and, more particularly, if they have failed after they have been notified. But time and time again in this place we know very well that the people who stand up and tell us about Mary Jones or Jack Smith have not made any formal representations on their behalf—for the simple reason half the time that either they do not exist or in fact the information provided is not true. (Time expired)

Ms BURKE (Chisholm) (8.13 pm)—I want to thank the member for O’Connor for his contribution to the debate on the Inspector of Transport Security Bill 2006, although I am not sure that he ever actually got around to speaking on the bill. He is the only member of the government to speak on it, so he at least gets brownie points for having done that. What a sad indictment of the government: we have a very important bill before the House today, one for which we have been waiting a very long time, and we have got one contribution from the member for O’Connor, who I think spent about five minutes of his entire speech actually on the bill, and as for the rest of it I am not quite sure where he was at.

I want to correct him on a couple of points. He criticised the Transport Workers Union members at Sydney (Kingsford Smith) Airport for saying that they were concerned about being watched while they were rifling through bags. I have had the absolute pleasure of meeting with some of those baggage handlers at Sydney airport and you could not meet a more reputable bunch of guys anywhere. They are out there asserting the integrity of their profession and looking after the security of the passengers flying on our aeroplanes. They are the ones who are on the front line. You need to remember that every time there is a terrorist attack it is, without fail, transport workers who are killed in that attack. On the airlines, on the trains, on the buses—it is always the transport workers who are at the front line and who are risking their lives.

These people at Sydney airport, down in the baggage-handling area, are the ones who, nine times out of 10, are bringing the issues to the attention of management. We were recently told about an incident where a very suspicious package arrived at the end of the queue. The guys were told to put it on. They looked at it and said, ‘There is something very odd with this package. There are wires coming out of it. Perhaps something should be done.’ Nobody knew what was to be done. They themselves ended up calling the bomb squad to come down. How inappropriate! They all felt incredibly frustrated that there was no chain of command, that there was no instance of how they could progress this issue. They are the ones out there putting
themselves at risk in part of their job. They recognise that and understand it. So should this parliament and so should the members getting up to speak on the bill.

While I welcome the bill, I also endorse wholeheartedly the amendment moved by the member for Brisbane. This bill is too little and way too late. The government has patted itself on the back because we have not had an incident. That is more down to good luck than down to good management. Finally we have a framework in which the Inspector of Transport Security can operate, but he is still only going to operate part time, if and when he is released from the other duties he is performing. It is now five years since the September 11 bombings, four years since the first Bali blast, two years since the Madrid bombing, one year since the second Bali bombing and one year since the London bombing, and finally we have a framework in which the Inspector of Transport Security will operate in this country. We have seen by the pattern of these bombs that they are predominantly targeted at transport areas.

The Labor Party recognised last year that one of the areas this government has been failing in is transport and maritime security, and we established our own task force. I have had the pleasure of chairing the task force and I have been to some very interesting places around the country and visited some very interesting things which a girl from Melbourne would usually never get to see. I got to go to Karratha’s port, one of the most important ports in this country and one of the most essential to our economy. It was fascinating being up there. The day we arrived, the boom gate had been constructed. They were actually tarmacking the road as we were driving over it because the gate had not been put there. But I do want to commend all the port authorities we met and we were highly impressed by the port authority security committees.

Having also been to Sydney airport and seen the baggage handling, I now know that airports do not cater for passengers but cater for bags. Bags are far more important at airports, I have discovered, having been in the bowels of Sydney airport and seen the check bag screening going on. That is for international; domestic will come online next year. There is a huge process in the bowels of the airport which these bags go through—again, highly professional individuals running a very good system. Probably the only criticism I have of the airport is that it does not now mirror the port security committees system that is in place. I would recommend that there be a rethink about security committees at airports that incorporate all the people at the airport, most particularly the unions. Union representatives sit on the port security committees, and that has been found to be very beneficial.

Finally we have legislation which outlines how the inspector will conduct independent inquiries and recommendations in relation to transport security and offshore security matters, upon the Minister for Transport and Regional Services authorising an inquiry. The flaw in this legislation is that the Inspector of Transport Security cannot actually go out and say, ‘I think I need to conduct an inquiry into this.’ It must be authorised by the minister. When the position was created in 2003—let me repeat: 2003—the government said:

The government will provide $1.6 million over four years to support the establishment within the Department of Transport and Regional Services of an Inspector of Transport Security. The inspector will investigate major incidents and systematic transport security weaknesses to ensure security vulnerabilities are identified and addressed.

The position has been up and running now for three years without enabling legislation
for that to take place, and that is a sad indictment of the government. The Minister for Transport and Regional Services at the time, John Anderson, said on 23 May 2005:

Mr Palmer has temporarily stood aside to conduct an inquiry into the Cornelia Rau case, and it is expected he will resume his duties in the near future.

Seven months he took to do that inquiry. A very detailed inquiry it was and very important work, but he already had a very important job to do. The minister went on to say:

There have been no matters which have arisen that would have required Mr Palmer to be recalled or to have someone else appointed to the role on a temporary basis.

Again—more good luck than good management. What if there had been an incident? Surely we have seen, from what has recently occurred in London, that you want to stop these incidents before they happen. Today in the Main Committee we are having a migration debate triggered by fear of the Islamic religion. In stopping people from taking out citizenship, we need to remember that in the latest London incidents they were home-grown terrorists; they were people who were born and bred in London. Where is somebody conducting security—looking at our transport security system overall—ensuring that we have the intelligence and the systems in place so that we do not have a London bombing? I do not know that we have anybody. That is one of the biggest flaws with this legislation.

The minister promised in 2003 that there would be enabling legislation put into place. It is now 2006 and we finally have the legislation, but it is still only a part-time position. It has taken three years to get there. On 23 May 2005 the then transport minister, John Anderson, promised that Mr Palmer’s position, Inspector of Transport Security, would have legislation to underpin it and define its powers. Today we are seeing that being delivered. So we have gone on and on and on. The government has previously said that Mr Palmer will be recalled to his position if something goes wrong in transport security—not good enough. But when appropriating funds for the position the government informed the parliament that the role of the inspector included the investigation of systematic transport security weaknesses ‘to ensure security vulnerabilities are identified and addressed’. How can you do that if you are only going to recall someone if there is an incident?

It is clear that Mr Palmer cannot do the core job of identifying systematic weaknesses in the system to prevent security incidents occurring on train, tram and bus systems. On the one-year anniversary of the London bombing, it is worrying that the government has not installed a person in this position who has this as their sole focus. Finally, we have seen the legislation promised to give the inspector real teeth, but, as indicated by the amendments, we think that somehow the legislation has failed to give the minister the real teeth.

In the last two or three years, in Sydney airport alone, we have had the following incidents. There was the camel incident. There was the suspicious device on an international flight into Sydney. On that flight, the baggage handlers had taken the bags off before anyone told them that there was a suspicious device on the plane. Two cars tailgated a van through the security gates at the airport without proper security checks. They got to what is known as the sterile area. Passengers from a regional unscreened flight from Wagga Wagga entered a secure area. The entire area involved in the breach had to be evacuated. Everyone had to be re-screened. As I mentioned before, a device spotted by baggage handlers resulted in ground staff calling the bomb squad themselves. A passenger with suspected bird flu was removed from the
plane. It subsequently turned out that there was probably another issue, but again the procedures for how to deal with that incident were not fully understood by the staff on the ground. If we had a full-time inspector, surely he would have been dealing with these incidents and they would not keep repeating.

The member for O’Connor kept mentioning the English gentleman who came out and did the report. The Wheeler report said that the area of regional airports was a gaping hole in security. If we had a full-time inspector—we have a part-time one who is eminently qualified—he could have conducted the inquiry and we could now be acting on those recommendations. But Wheeler was brought over. I had the pleasure of meeting him. He is a highly intelligent and very articulate man who knows his subject. But we have had this report and still some of the vital issues have not been acted on. If we had a full-time inspector we could be looking at the actual issues and strategic responses could be put in. As Wheeler said in his report:

... in the current environment, consideration should be given to more comprehensive security control over regional flight passengers when arriving at major airports such as Sydney because of the risk to larger aircraft and facilities when passengers disembark at the apron.

That is from the Wheeler review. As part of the task force that I have been chairing, we had the pleasure of going to quite a few regional airports. When you go into the regional airports down at Burnie and Devonport, there is a big sign that tells you ‘Don’t bring in fruit’. But you could probably bring in or take out anything else because nobody screens you. When you leave the terminal at Burnie you are not screened, but you get screened when you come into Melbourne. After you have been on the plane that has landed on the tarmac at Melbourne, they then put your bag through. It seems quite bizarre, but that is how it operates. These are airports that have large passenger movements.

But what about ports? Is anybody looking at ports? Yes, we have had the MSI card introduced, and Labor supported that. As I said, port security authorities and committees are up and running. I want to put onto the record my thanks to the following individuals who allowed the Labor task force to visit and hear firsthand how things are operating: Captain Vic Justice, the harbourmaster and port security officer at the port of Dampier, and members of the Port Dampier security committee; Mr Warren Fish, Woodside Dampier port operations; Mr Gary Webb, chief executive officer, and Mr Colin Norman, general manager operations, of the Newcastle Port Corporation; Mr Murray Fox, general manager environment and planning, Mr Peter Shepherd, manager port security, and Mr David Taylor, manager risk and dangerous goods, Sydney Ports Corporation; and Rod Gilmour and Ron Elliott at the Sydney Airport Corporation. They all took a great deal of time. There was also Rob Mason at RailCorp in Sydney, who took a great deal of time going over many of the operational procedures at these interfaces and these coalfaces. I want to say thank you very much for doing that.

When we were in Newcastle, we were highly impressed by the port authority and what they are doing on the ground in a day-to-day environment. The port of Newcastle is very interesting because it has the largest ammonium nitrate facility there. Orica has set up there. They actually produce on the site. From that site they use coastal shipping and rail to move ammonium nitrate around Australia and overseas. When we were there I was effusive in my praise for what the port authority was doing. However, I did draw to attention the fact that the Howard government, by virtue of lack of legislation, is exposing the port—and indeed the town of
Newcastle—to a risk. This ammonium nitrate is not shipped on Australian vessels under Australian flags with Australian seafarers. No. It is shipped on flag of convenience vessels with foreign seafarers. We are not 100 per cent sure who the seafarers are and we cannot tell the authority or the ownership of the ship. There is a great danger there that the Howard government, with this legislation and with a part-time inspector, is not dealing with. The government is not really dealing with the nature of dangerous goods.

Just recently we had an incident where 400 kilograms of ammonium nitrate were taken off a freight train—just outside Newcastle, funnily enough, where all the ammonium nitrate is. Four hundred kilograms were taken. The freight train was in the yard. People managed to jemmy the container open and take out one of the ammonium nitrate bags. In Newcastle we got to see these ammonium nitrate bags. They are very big. It was a very small amount of ammonium nitrate that was used in the Oklahoma bombing and that caused so much devastation there. I think 162 lives were lost. Here we have an issue of very grave concern. We need someone full time to look at it and deal with it.

Then there was the incident down in Geelong: ‘Drunk sailor almost blew up our port’. Dealing with the Pos Auckland highlights the issue brilliantly. Who has actually reviewed this incident? Who has actually gone down there and done an analysis of what went on the day that this ship was under threat from the drunken sailor—the poor individual who had spent 11 months on the ship without shore leave and who then went on a drunken rampage and threatened to blow up the ship? Who has actually investigated what went on that day and reported back what should have taken place? Who has looked at the fact that the Geelong city council was not advised of the risk? Who looked at the fact that Displan was not put into action? Even if there was not a risk, who was actually assessing the risk on the day to make that assessment? Who was in contact with the master of the ship who raised the security level from the standard, security level 1, to the highest, security level 3—which resulted in a SWAT team turning up at the port to take away the poor sailor in question? Let me read from the Geelong Advertiser:

A DRUNK Filipino sailor on board a ship docked in Geelong threatened to blow up the vessel, which was packed with more than 30,000 tonnes of volatile fertiliser, the Maritime Union said yesterday.

The sailor attacked two crewmates on Wednesday morning before locking himself in the engine room, where he opened fuel valves and shoved raids into electrical equipment.

The emergency forced the captain of the vessel to issue a high-level security alert never before used in Australia, the union said.

The ship was docked near the Shell refinery, in the heart of an industrial area where millions of litres of flammable and dangerous substances are stored.

What they did not say is that the port is right in the middle of a residential area, right nearby a whole lot of people. On examination, there is probably a whole lot of stuff that was or was not happening out there, but who was actually reviewing it? Who was making those calls? Who has assessed the situation afterwards to ensure that we have the appropriate things in place? According to the following report from the Geelong Advertiser:

After 11 months’ continuous toil aboard the bulker, POS Auckland, tied up at Lascelles Wharf, drunken Filipino seafarer Allan Yordan, 45, snapped and attacked two of his colleagues with a knife and a hammer. He then locked himself in the engine room and made some wild threats that he could never have carried out before police coaxed him out and arrested him.
This might be, as the story says, the ‘end of a sad story’, but there were a whole range of incidents that were happening then that nobody knew the real risk assessment of at the time. It is all right in hindsight to say now, ‘Well, it didn’t happen and it couldn’t happen,’ but who actually knew? At the time, nobody knew that. At the time, there was a serious risk and threat happening on that wharf, and nobody was dealing with it. Nobody was there to actually ring to ask: ‘How do we deal with this situation?’ The poor individual has now been sentenced to six months in jail, but have we had an assessment? Have we had a review? It is, again, more good luck than good management that an incident has not happened.

As I said, a 400-kilogram bag of ammonium nitrate was recently taken from a train. I had the pleasure of visiting Sydney’s Central Station and was very impressed with the operations there; they are highly technologically advanced. But, again, there is no federal government coordination in respect of rail. There is nobody overseeing what is happening on the rail system. Again, it is more good luck than good management. The individual states are looking at it and taking action. At the Sydney RailCorp they have devised a device so that they can get security workers in and out in a timely manner if they are carrying breathing apparatuses. A breathing apparatus has about 20 minutes worth of oxygen. If you are actually walking with that, it uses up a lot of that oxygen. Based on what they learnt from the London experience, they have devised a little trolley to get in and out—but it is something they have done off their own bat. Surely we should be doing this in a coordinated fashion, sharing information and having a system across the board—something that a full-time inspector of transport would be doing and running.

I have not got time to go into road security but, again, there does not seem to be any harmonised approach. A recent COAG meeting said that all state ministers would harmonise the approach to the carrying of dangerous goods, but it is not happening. Companies like Orica are taking it into their own hands, but they are meeting with quite a deal of resistance when they have to deal with various jurisdictions. There was an agreement that it would be harmonised but there is nobody overseeing the process. Whilst this bill will finally go some way to actually implementing what the transport security officer is to do, it fails to ensure that he is there doing it full time for the security of our nation. (Time expired)

Mr DANBY (Melbourne Ports) (8.33 pm)—In supporting the Inspector of Transport Security Bill 2006, the opposition also supports amendments moved by our very thorough member for Brisbane, the shadow minister for homeland security. We obviously do not oppose the passage of this bill, since it is better than nothing, but we have some serious criticisms to make of this government’s handling of this matter, and we will insist that our amendments are put to the vote.

Since I last spoke in this House on the issue of transport security, we have acquired a new Minister for Transport and Regional Services. The honourable member for Wide Bay—the minister who gave us the wide-open gate at Mascot airport, the minister who gave us flights from Wagga Wagga to Sydney without baggage inspections, the minister who gave us ships sitting in Gladstone Harbour packed with enough ammonium nitrate to blow the whole place sky high—has moved on to new disasters. In his place we have the honourable member for Lyne, the Deputy Prime Minister. This is the minister—or, rather, one of several ministers—who gave us the ‘wheat for weapons’ scandal in which $300 million was paid by an Australian company run by National Party mate
Trevor Flugge to a bogus Jordanian trucking company which handed it over to Saddam Hussein’s bloodstained regime. This is the minister who apparently never noticed one of the greatest scandals in Australian parliamentary history—despite all of the cables his office got, which, of course, he never read or we are led to believe he never read. I will be very interested in the report of the royal commission and Mr Cole.

I may be accused of cynicism, but I do not feel very confident that this minister will be more effective in protecting the security of Australian ships, ports and airports than his predecessor was. Despite the fact that there are many good people in the National Party, I think the National Party’s record in this portfolio, under successive ministers, has been a disgrace. The majority party in this government should have considered grabbing this portfolio in the last round of reshuffles if they take the area of transport security seriously. It really is time that the Prime Minister showed some leadership in this area. It is time he removed responsibility for the security of our ports and airports from the Department of Transport and Regional Services and its succession of less than brilliant National Party ministers.

This is not a transport issue; it is a national security issue, and it belongs with a full-time minister for national security, a minister for homeland security. All we have at present is the Office of Transport Security in the Department of Transport and Regional Services. No doubt the people in that office are capable and dedicated—no-one is critical of them as individuals. The failure here is a failure of leadership and policy from successive ministers for transport and regional services and ultimately from the government and the Prime Minister.

This bill is a belated response to the new security environment created by the terrorist attacks on 11 September 2001. Those attacks took place more than five years ago. It took this government until December 2003, more than two years later, to create the Office of the Inspector of Transport Security. It took two years just to make an in-principle decision—and not a very difficult one at that. By contrast, let me point out that President Bush, despite his many critics in many areas, announced the establishment of the Office of Homeland Security in the White House, directly answerable to him, on 20 September 2001, nine days after the attacks. This was followed by the creation of an independent Department of Homeland Security.

The decision to create this position of Inspector of Transport Security was taken in December 2003, nearly three years ago. Now we finally have a bill creating the position of Inspector of Transport Security and setting the terms on which the person will operate. I am very glad—and I think all Australians will be glad—that al-Qaeda has not managed to undertake a major operation within Australia. But I do not think that is due to any preparations that the government has made in this particular area; it may be due to the efficient work of the Australian Federal Police and our security agencies. Transport security is a matter we should have been sharper on and acted earlier on.

I have to ask: what is it about this bill that is so difficult, so complex, that it took two years to bring it before us? Does the government really think this is a matter which it can dawdle over for two years? This bill finally creates a statutory position of Inspector of Transport Security, more than five years after 9-11. Many people will be surprised to hear that. After all, Mick Palmer has been travelling around the country under the title of Inspector of Transport Security since November 2004. Most people assumed that we already had an Inspector of Transport Security.
Mr Brendan O’Connor—He had the business cards.

Mr Danby—As the very capable member for Gorton said, ‘He had the business cards,’ and he is a good man. But, if the public assumed that he was on the job full time, they were wrong. In fact, Mr Palmer has only been acting in the position, on a temporary appointment, in the Department of Transport and Regional Services. He has no permanent role and no independence. And of course he has been distracted by other things, such as trying to sort out the mess in the Department of Immigration and Multicultural Affairs under this government. He had a minor investigation—the Cornelia Rau affair—that took nine months of his time, and the disgraceful treatment of mentally disturbed people in our correctional facilities. That might have distracted him a little from the very grave matters of transport security that one would have thought the government would be fully seized of post September 11.

So now are we going to get what we really need: a full-time Inspector of Transport Security, with full statutory powers to go where he wants, investigate what he wants, report on what he wants and make recommendations independently of the supervision of the minister? No, we are not. This bill provides for only a part-time inspector and restricts his ability to conduct investigations. The inspector will only be able to inspect what the minister asks or allows him to inspect.

This is not good enough. Australia needs a full-time Inspector of Transport Security, just as it needs a full-time minister for homeland security. It needs an inspector with full statutory independence, able to act on his own initiative, with full powers of inspection and investigation. No minister is going to say, ‘Please investigate the fact that I left a security gate open at Mascot airport and report on what an incompetent dill I am.’ No minister will allow the inspector to investigate his own failures.

We have here a Potemkin village bill—a facade of national security, behind which we see the same old National Party slackness, cronyism and incompetence. I do not think the National Party really want rigorous security measures at regional airports, because they fear they will get blamed for the inevitable queues and delays that rigorous security entails—things that those of us in metropolitan areas have had to get used to.

I remind the National Party and the more serious people in the government that the whole incident of 9-11 began in Portland, Maine. The whole idea of the hijackers was to get to the secure side of airport security at Logan airport. How did they do it? Very simply, they boarded at a feeder regional airport that did not have the kind of security that exists at Logan, LAX or O’Hare airports or any of the big airports in the United States. They got into Logan and were able to hijack all of the aircraft from Boston, with the terrible results that occurred.

Yet we still have all kinds of incidents here in Australia—some of them were pointed out very capably by the former member for Braddon, Sid Sidebottom—such as the lack of ability to check things at regional airports like Burnie. The whole point of what occurred on 9-11 should be starkly clear, particularly to people in the National Party. In the end, do they want to be blamed for a similar incident happening here—it would be a disaster for Australia—because of their failure to introduce proper screening at regional airports?

I think the current Minister for Transport and Regional Services would prefer to have unexamined baggage on flights from Wagga Wagga rather than risk upsetting his constituents. But the member for Chisholm recited a litany of potentially security threaten-
The tailgating of cars through security points, the bomb squad being called and local unionists having to deal with a matter for which they had no instructions. A few weeks ago on a Sunday night I was at Salamanca Place in Hobart walking with my daughter to dinner. Right down the end there was a big gate with barbed wire at the top with big letters that said: ‘Maritime Security—This gate must be closed at any time the port is not being used.’ Both gates were wide open. Both Laura and I walked through. She is 15. She was very annoyed with me that I did not have a camera in my phone to take a picture of this obvious violation of security.

The other deplorable aspect of the Inspector of Transport Security Bill 2006 that I want to examine is the fact that there is no bipartisan accountability. When the Director-General of ASIO makes a report, the Leader of the Opposition is briefed on the report on a confidential basis. Moreover, to the credit of this parliament, we now have a parliamentary intelligence committee whose members are also briefed on security matters. My friend the member for Holt, who is the soul of discretion, is the deputy chair of that committee. Many is the time that members on this side are not even aware that he is on that committee and what he is doing, he is so discreet. There is no possibility and no suspicion that the security services these days are being used for partisan purposes, as there were in the days of the Cold War. That is a good thing. We have very capable people in all of the security agencies and it is precisely because we have that trust of them in the parliament that I think they are able to act with such efficiency.

There is no such provision in this bill. The Inspector of Transport Security will report to the minister in secrecy. The opposition, like everyone else, will be kept in the dark. I accept of course that the Inspector of Transport Security will be reporting on sensitive matters about which confidentiality is necessary. But that occurs with ASIO, ASIS and the other agencies and they manage to do it. Obviously, they appear before responsible people; they report on the opposition side to the Leader of the Opposition and sometimes the shadow foreign affairs spokesman. These people, whatever political party is in government, are bound to take their duties very seriously. But a provision for the Leader of the Opposition to have access to the reports of the Inspector of Transport Security on a confidential basis seems to me to be a very reasonable safeguard against any suspicion of cover-ups. I would have thought the government would welcome that, but apparently not.

These concerns that I have mentioned are reflected in the amendment moved by the honourable member for Brisbane. The amendment notes:

... the failure of the Howard government to appoint a person as Inspector of Transport Security until one year after the announcement of the position;

... the slowness with which the Howard government dealt with the important role of Inspector of Transport Security,

... the Howard government’s dismissive use of the Inspector of Transport Security who has been engaged on an average of just one day a week in spite of repeated failures in security in the Australian transport sector ...

And finally:

... the Howard government’s failure to engage the Inspector of Transport Security in a full time capacity.

I commend the amendment to the House. I also support the bill, as does the opposition.

Mr BRENDAN O’CONNOR (Gorton) (8.47 pm)—I rise to support the amendment moved by the member for Brisbane because the Inspector of Transport Security Bill 2006 is deficient without the amendment being
accepted by the government. I would also like to associate myself with the comments made by the member for Melbourne Ports, who is indeed the secretary of Labor’s national security caucus committee and who is very interested in these particular matters and spends a great deal of time considering them.

I wish I could say the same for the Minister for Transport and Regional Services or for the government, because it seems that there has been a great delay in this matter coming before us today and it is similar to a bill that was before us this morning, which dealt with matters that also went to our national security. As you might recall, Mr Deputy Speaker Causley, the Australian Citizenship Bill was important for our national security because there were provisions in it that extended the length of time a person would have to wait until becoming an Australian citizen. There was the provision of a 10-point plan arising from meetings of COAG where federal, state and territory governments considered a response to the bombings in London. That matter had been determined 12 months ago but we were debating it only today, because the bill had been delayed for that long.

Indeed the announcement to provide some authority for the inspector’s position in the Inspector of Transport Security Bill 2006 was announced in May last year. The actual appointment of the inspector was announced in 2003. Five years after the tragedy that occurred in New York and in other parts of that nation as a result of a terrorist attack, we are still trying to work out what particular inspectorial regime we want to oversee our national security. That is a travesty and it is a failure of this government.

I also want to comment upon the remarks of the member for Chisholm. The Labor Party did establish a task force to examine breaches of our national security and to examine where there were weaknesses. The report that that task force released about three or four months ago went to some of the problems that this government should be attending to. The member for Chisholm reiterated the concerns of that committee and referred to the particular experts that the committee spoke with as well as mentioning the remote areas that she found herself in when examining the particular concerns of security breaches in our ports.

If you listened to the debate that has occurred this evening, you would have to say that the government seems to have very little regard for this chamber, the bill, national security or indeed all three matters. Not one government member has spoken on this bill. The member for O’Connor rose during the debate and spoke for 20 minutes—he just did not speak on the bill. It does worry me when I do not see one government member wanting to explain why there is a delay, wanting to explain why there is not a full-time inspector, wanting to explain, for example, why this inspector cannot of his own motion ensure there is a particular inquiry which at the moment can only be undertaken pursuant to the powers of the minister. These are the sorts of matters that you would think government members would want to explain to the people of Australia via this chamber. But again we see a disregard for national security, a disregard for this place and ultimately a disregard for the concerns of Australians. I think that is a tragedy.

I will just refer to some of the matters that were raised by the member for Brisbane on the deficiency of the bill. I have already referred to the failure of the bill to provide the capacity for the Inspector of Transport Security to be able to hold an inquiry of his own volition. I think it is also fair to say that the government has failed to accept a number of amendments that would be more consistent
with the principles enunciated in the Inspector-General of Intelligence and Security Act. The member for Brisbane has proposed that it would be more consistent if, before a recommendation is made to the Governor-General for the appointment of a person to the position of Inspector of Transport Security, the relevant minister consulted with the Leader of the Opposition in the House of Representatives. That principle is similar to section 6 of the Inspector-General of Intelligence and Security Act 1986 and I think it is fair to say that including the Leader of the Opposition in these matters would be a more reasonable approach to take. We ask the government to consider accepting that provision.

We would also ask that the government consider another amendment: that the relevant minister shall give a copy of the report furnished under subsection (1) to the Leader of the Opposition in the house of Representatives, but it is the duty of the Leader of the Opposition to treat as secret any part of the report that is not tabled in a house of parliament. That principle is similar to section 35 of the Inspector-General of Intelligence and Security Act 1986. It seems that those improvements would be more consistent with the way in which these matters are dealt with and would provide a more effective set of laws.

Proposed section 64 of the Inspector of Transport Security Bill 2006 states:

... the Minister may table a copy of a final report, or part of a final report, in the Parliament, if the Minister thinks that it is, on balance, in the public interest to do so.

We would argue that that should be a mandatory provision, that there should not be a discretion to table a report and that, indeed, there should be a requirement to table some report for public consumption, having regard to the sensitivities that this particular area attracts.

I think that these constructive proposals made by the opposition should be seriously considered by the government. We do not seek to impede the progress of this bill. Indeed, we have been encouraging its enactment for some time. Similar to another bill that was before us in this place this morning, we have been encouraging and cajoling the government to consider enacting this legislation immediately. It cannot be argued that there has been any effort by the opposition to stymie or in any way obstruct the progress of these two bills that have been before us today in relation to national security matters. There has, instead, been a failure to act by the government and a failure to act by the minister responsible.

It does worry and concern me—and I am sure it worries others—when I hear of some of the breaches of national security. Last Tuesday I was in Devonport with a number of people. As the member for Melbourne Ports indicated, the former member for Brad- don used to raise concerns about the security breaches that are potentially able to be committed as a result of very lax security systems both at Devonport and Burnie airports. The fact is that that has not been attended to. In leaving Devonport on Tuesday, I found myself not having to have my bag screened in any way. I think this is a failure. It does worry me that the luggage is screened once I get to Melbourne airport after I have left De- vonport. It is nice to think that the people at Melbourne airport will not be threatened if it is screened going into the airport, but I think it is necessary that there is greater security in our ports and our airports. There has been a failure in this.

There are some deficiencies in this bill before us. There have been some constructive proposals that have been put forward by the member for Brisbane that have not been listened to by this government, which sits on its
hands and allows the national security of this country to be undermined by a failure to act.

Mr PRICE (Chifley) (8.58 pm)—I am pleased to follow my colleague the honourable member for Gorton on the Inspector of Transport Security Bill 2006. I notice that the only government speaker to date has been the honourable member for O’Connor. I listened intently to his contribution, and it was a good one, but I am not sure it was actually on this bill. This is a very serious bill involving national security. The member for O’Connor accused the opposition of refusing to cooperate with the Howard government on serious matters like national security. I recall that one bill the then Attorney-General wanted very quick passage of through the House went through the House and the Senate in less than 24 hours. The opposition is always willing to cooperate with the government on important national security matters. I recall that one bill the then Attorney-General wanted very quick passage of through the House went through the House and the Senate in less than 24 hours. The opposition is always willing to cooperate with the government on important national security matters, but as an opposition we need to question what the government is doing, how it is doing it and whether or not it is effective. The honourable member for Gorton pointed out that it has taken five years after September 11 for this legislation to come to fruition. That is not a government that is operating on overdrive. It is not exactly breaking the speed limits. Yet many hundreds of thousands of our fellow citizens are travelling by aeroplane, by train and, in fewer numbers, by ship and they ought to be guaranteed that, as much as possible, their travel is safe.

Debate interrupted.

ADJOURNMENT

The SPEAKER—Order! It being 9 pm, I propose the question:

That the House do now adjourn.

Climate Change

Ms GEORGE (Throsby) (9.00 pm)—In March this year, the Leader of the Opposition released Labor’s blueprint outlining the strategies we would put in place to protect Australia from the threat of climate change, undoubtedly one of the biggest issues confronting not just our nation but the whole globe. The solutions we proposed in that blueprint exposed the stark differences in approach between the major political parties. Among the range of measures suggested in our blueprint were the following: ratification of the Kyoto protocol, support for a national emissions-trading scheme, work towards a national target of 60 per cent cuts to our greenhouse emissions by 2050 and encouragement for renewables and energy efficiency.

We argued that climate change is real and that Australia needed to join the global fight to avoid the impacts of dangerous climate change. Eminent scientists and eminent organisations like the CSIRO were warning Australians that climate change meant more heatwaves, more severe weather events, increased bushfire risks, more floods, rising sea levels and longer droughts. I see that the parliamentary secretary for water is with us tonight. I think he surely understands that you cannot tackle the issues of water and drought without addressing the impact of global warming.

If action is not taken, the Australian community was told that temperatures could rise by two degrees centigrade by 2030, cutting food and water supplies and increasing the spread of dangerous diseases; that rising sea levels would damage the Australian coast—and I think the graphic illustrations on the front page of the Sydney Morning Herald said it all this week; that Australian icons like the Great Barrier Reef would be under threat; and that Kakadu’s wetlands would be destroyed. But the sceptics in the Howard government were, and continue to be, in a state of denial, dismissing the overwhelming scientific evidence about the impacts of global warming.

CHAMBER
Let us just take a few memorable quotes from the government’s Minister for Industry, Tourism and Resources. He said:
...
... carbon dioxide levels go up and down, and global warming comes and goes.

Well, really, Minister! No wonder he was forced to admit in answer to a question posed by Laurie Oakes:
...
... I am a sceptic of the connection between emissions and climate change.

It was this very same minister who arrogantly dismissed Al Gore’s movie *An Inconvenient Truth* as ‘just entertainment’. But the movie’s message was too powerful to be ignored in the Australian community. The inconvenient truth that needs to be understood is that the Howard government has isolated Australia from global action on climate change and, in so doing, increased the risk of both environmental destruction and economic damage to our nation.

The Stern report, released in the last few days, is to date by far the most comprehensive analysis of the economic impact of climate change. The report’s recommendations were prepared by a very eminent economist from the World Bank. I would imagine that no-one could dispute his impeccable credentials. The Stern report argues that there is still time to avoid the worst impacts of climate change, but we need to take strong action now. It concludes:

The scientific evidence is now overwhelming—
and I hope the Minister for Industry, Tourism and Resources is listening—
climate change is a serious global threat, and it demands an urgent global response.

The evidence gathered by the review led him to conclude that the benefits of strong and early action on this issue far outweigh the economic costs of not acting. Let us hope the sceptics on the government benches are listening. Surely, on this occasion, the government cannot ignore the economic conclusions drawn by the World Bank’s chief economist.

Stern’s report concludes that ‘it is already very clear that the economic risks of inaction are very severe’ and that failure to act would cost between five per cent and 20 per cent of annual global GDP. He points out that the costs of stabilising the climate are significant but manageable if we take early action, whereas delay would be dangerous and more costly. He describes climate change as ‘the greatest market failure the world has ever seen’. *(Time expired)*

School Chaplains

Mr FAWCETT (Wakefield) (9.05 pm)—I rise tonight to put a bit of context around some of the conjecture that has been in the press over the last few days about the chaplaincy program that was announced by the Prime Minister on the weekend. Headlines such as ‘School chaplain call a “cheap political stunt”’ have come out along with other criticisms of the program. I would just like to address some of the facts about who was actually looking for the program, why it is there and what it is in order to put to bed some of this conjecture, which I think is unhelpful and does not recognise the true value that this program has been bringing and will bring into the future.

So who has actually been calling for it? Most of the critics are saying that it is the government trying to ram some agenda down people’s throats. But I have to say that this has been in response to a call from the community, who are already seeing the benefits of existing chaplaincy programs around Australia. They exist right now in state schools and are benefiting students. In South Australia, this program has been running for well over 20 years, and the South Australian government already gives some $50,000 each year to it. In Victoria, the state government already gives some $25,000 per chaplain to
the program and in Queensland the state government gives some $10,000 per group.

What is the program? Let me make it very clear that it is not a program about religious education. As someone who has spent over 22 years in the military, I am very aware of the role of chaplains, and the role is not about religious education. It is for the same reason that we have chaplains in hospitals, in industry, in the military, as I have mentioned, in police services and in correctional services. There are chaplains in schools around Australia, except, I believe, in New South Wales, and they are even in sporting teams. They are there for a range of good reasons but not for religious education.

If you look at how the chaplains group in South Australia describe their purpose, in one of their pamphlets they say:

It's always been tough being a kid. Today, it's even tougher.

Look around in any school in any town in South Australia, and you'll see that our kids are shouldering more burdens than at any time before.

Family breakdown, Death of friends, Depression, Drug abuse, Sexual, Physical and Emotional abuse. These are the stark realities of life for many kids today, and that's where school Chaplaincy comes in.

It goes on:

... Chaplains in state schools provide a listening ear, a caring presence and are powerful advocates for kids in crisis—and for kids who just need a friend.

This is not just one or two schools. We have some 188 chaplains in schools in South Australia—in 76 high schools, 80 primary schools and around 30 area schools. And there is a waiting list of some 40 schools that are seeking this support.

The program is voluntary, so it is not at all about anyone ramming anything down people's throats; it is this government providing choice for school communities so that if they wish to have this support for their children they will have the resources to help them on the way with that. And it is the school communities who actually run the schemes. Tonight as I speak here, in Kapunda, in the electorate of Wakefield, Jennette Mickan, who is the chaplain at both Freeling Primary School and Kapunda High School, is presenting to the annual general meeting of the chaplaincy group, who will decide what is going to happen in terms of their chaplaincy programs. This is something that is owned, managed and run by the parents and the community of the school, not at all by the government.

Look at other schools that have been very successful, such as Salisbury High School, which has transformed the nature of youth in the area. The principal, Helen Paphitis, has talked about people like Andrew Beaufort—who was the school chaplain there—and the role that they play. Even the counsellors and social workers speak well of the chaplains. One who was on ABC radio just this week said:

I'm a qualified social worker, family therapist and school counsellor ... I see young people with all sorts of needs ... while they need professional help, some of them have said to me they don't feel comfortable with a counsellor, some of them want to see a chaplain. It's about giving them diversity and I don't have a problem with it.

This program is about providing resources to schools—not only schools that have the ability for the community to raise the funds but schools such as Davoren Park and Smithfield Plains Primary and high schools in Wakefield that do not have the funds in the community. It is about this government giving those communities choice to provide the support that their children need to have a fair start in life.

Climate Change

Mr GARRETT (Kingsford Smith) (9.10 pm)—The release today of a major report
commissioned by the UK Treasury, the Stern report, makes clear that meaningfully addressing and comprehensively responding to dangerous climate change is the single most important test that any government has. The Prime Minister of the United Kingdom, Mr Blair, says that without radical international measures to reduce carbon emissions within the next 10 to 15 years we might lose the chance to control temperature rise. It is that serious.

But what a performance from the government, and especially from the Prime Minister, who, prior to facing censure in the House today on this very issue, said in response to a question from the Leader of the Opposition:

There is nothing in the Stern report—and I have read the executive summary ... that is contrary to what I am saying ...

The PM went on:

Kyoto was never an effective international agreement ...

In fact, Stern, in the executive summary, says:

The UN Framework Convention on Climate Change and the Kyoto Protocol provide a basis for international cooperation, along with a range of partnerships and other approaches ...

That is what Stern says. That is what the government is not doing. The 700-page report, which looks in detail at the economic costs of failing to address climate change, confirms what Labor has been saying since day one in this parliament about the impact of climate change—that its intensity and reach, if unchecked, will have a profound and damaging effect on this continent.

I very much support the comments that the member for Throsby made previously on this issue. The very real dangers to our way of life associated with a warming planet have been identified—sea level rise and its effect on coastal communities and properties, the viability of rural farmlands facing ever drier weather conditions, the prospect of environmental refugees having to flee from nearby countries—and are increasingly understood. But Stern goes so far as to observe that failure to adequately respond to the threat of climate change will cause economic and, by implication, social disruption on a scale equivalent to both world wars and the Great Depression of the last century.

The Howard government has spent the better part of nine years attempting to downplay and dissemble on global warming, and now we have this crystal clear enunciation of what is at risk if we fail to act. At the same time the government has been exposed as being due to exceed its targets for CO₂ emissions, which, it appears, will now be 16 per cent higher than the government assured the Australian public they would be.

The Treasurer’s response to arguments by Stern about the seriousness of the problem was to seek to blame developing countries for their emission levels. This blame shifting is typical of the confused policy vortex that is the government’s response to climate change. Yesterday we could not act because it would hurt our economy; today we cannot act because China and India are not in the frame. When will the government take some responsibility, take the lead from Labor’s blueprint on climate change, and act?

As we head into a long, hot summer where, regrettably, drought will be the norm, and where climate change is likely to exacerbate the problem, the Howard government continues to fiddle while Australia burns. The Prime Minister has long argued that Australia’s economic interests would be damaged by ratifying Kyoto and getting serious about reducing emissions, but the Stern report shows just the opposite—namely, that the economic consequences of failure to act would be catastrophic, with estimates of damage costing up to 25 per cent of global
GDP. The cost of inaction by this government is that high.

Earlier reports from the Australian Business Roundtable on Climate Change, comprising a number of Australia’s leading companies, like Visy, BP and Origin Energy Australia, had already pointed the way. They called for a mix of existing energy sources, including cleaner coal and gas, coupled with increased supply from renewables—one of the fastest growing industries in the world—within a decent policy framework which encourages efficiency and greenhouse gas reductions and, where there is a market, enables emissions trading.

These things would mean we could meet our ongoing energy needs and reduce our emissions to the level required to stabilise global temperatures. The only problem is that the government has the blinkers on. It ignores this report and a number of others, consigns the solutions to the bottom drawer and accuses Labor of fixating with a slogan. The Minister for Industry, Tourism and Resources is still hanging around the fringes of Sceptics Anonymous, the Minister for Foreign Affairs is floating nuclear enrichment at a time of increased nuclear insecurity and the Treasurer is blaming the likes of Tuvalu for climate change. The effect of the government’s current policy is that we have no meaningful commitment to action on climate change. (Time expired)

**Bass Highway**

Mr BAKER (Braddon) (9.15 pm)—On 29 September 2006, I had the honour of turning the first sod to mark the beginning of work on stage 2 of the $70.5 million duplication of the Bass Highway between Penguin and Ulverstone. Due for completion in February 2008, this project will deliver a continuous four-lane highway between Devonport and Burnie, the two major centres on Tasmania’s north-west coast—or, as I call it, Tasmanian’s sunshine coast. By shortening travelling times between these two major centres, this highway will make it easier for the people of the north-west to interact and do business. There is no doubt that a freeway-standard road will bring both social and economic benefits to the region.

This $70.5 million project is being funded entirely by the Australian government, further illustrating the commitment of this government to serving the people of north-west Tasmania. I am pleased to say that the $28.5 million first stage of this project, undertaken by local firm Shaw Contracting, was completed in February of this year, some five months ahead of schedule. It is another example of working to the cause in Tasmania. The five-kilometre section of road extending west of the Leven Bridge towards Penguin includes an interchange and three new underpasses. As will be appreciated, roadworks of this nature involve the moving of a staggering amount of earth. As a by-product of this project, two new public recreation areas have been created, thus increasing community facilities in this region.

The upgrade has improved not only travelling times through this section of highway but also road safety for the travelling public. In association with the Royal Automobile Club of Tasmania, the Australian Automobile Association recently released its first star ratings for Australia’s AusLink national network. Of particular note was the statement of the RACT’s chief engineer, Mr Doug Ling, who was reported in the *Advocate* newspaper as saying that there was:

... no doubt the risk of crashes on the Bass Highway has been reduced by recent upgrades.

Mr Ling also said:

... the risk rating would continue to get lower as we continue to upgrade this vital transport corridor.
We are not just talking about the stage 2 roadworks further reducing travelling times but also talking about the fact that the highway will continue to be made safer for all road users. As the president of the Road Trauma Support Team of Tasmania, the issue of road safety is one close to my heart. Not only will the road improvements reduce travelling times; the improved safety features will also reduce road trauma, and that is a far more important objective.

We all know that most road accidents are caused by human error—there is no doubting that—however, road design is also a factor that should not be ignored. That is why I am particularly pleased that the road safety design features that were incorporated into the first stage of the Bass Highway duplication will also be used in the second stage. For example, the median strip between opposing lanes of traffic will contain a safety barrier and will be landscaped with leafy shrubbery to reduce headlight glare at night. Noise reduction measures will also be used to minimise sound impacts on local residents. The $42 million 5.5 kilometre second stage includes a new bridge over the Leven River, as well as a duplication of the Forth Road interchange underpass and the Lovett Street interchange underpass at Ulverstone.

I would like to take this opportunity to congratulate both Van Ek Contracting Pty Ltd on winning the design and construct contract for the new Leven River Bridge and Hazell Brothers Civil Contracting Pty Ltd for winning the roadworks contract. The new bridge is expected to be completed by December next year and the associated roadworks are expected to be completed shortly thereafter. Together with our $15 million contribution to the upgrading of the notorious Sisters Hills section of the Bass Highway, the Australian government is injecting a massive amount of funding into the transport infrastructure of north-west Tasmania to benefit the locals and tourists alike. On behalf of my electorate I would like to commend the Australian government for its ongoing support of the people of north-west Tasmania.

Climate Change

Ms OWENS (Parramatta) (9.20 pm)—I had heard before I was elected to this House that Canberra was another world and I realised last night as we discussed the environment legislation that it is actually a parallel universe. This is a world that operates in the mind of the Prime Minister, a world in which, in the face of all of the evidence about global warming and all of the evidence in our own country of rising temperatures and increasing drought, climate change is just not worth worrying about. In John Howard’s world, the parliament of Australia can do exactly what it did last night: it can debate the central piece of environmental legislation—409 pages of it, plus an explanatory memorandum—which does not even mention the words ‘climate change’, let alone set out a strategy for Australia to do its part in combating it. It is a world where climate change is not just ignored but also deliberately written out of federal environmental policy.

After parliament last night, I went back to the hotel and watched the news and I was transported back to the real world—an actual physical planet in distress and a world in which the Stern Review on the Economics of Climate Change was released and debated around the world. In that world, climate change is here. In the real world, it is here now and requires urgent worldwide action if real economic disaster is to be avoided. In this world of the Stern review, leaders around the world respond with urgency. But, back in Howard’s world, a world that he imposes on this nation—
The SPEAKER—Order! The member should refer to the Prime Minister by his title.

Ms OWENS—Sorry, back in the Prime Minister’s world, a world that he imposes on this nation, the Prime Minister is a man in denial. He is a man without the will or the energy to literally rewrite the way we think about energy and our relationship with the planet. Make no mistake—we need nothing less.

By 2009 we will already begin to see rising sea levels damage and flood coastal areas, and extreme weather. By 2011 we will see the Great Barrier Reef permanently damaged. By 2015 we will see some of our mighty rivers stop flowing. And by 2030 temperatures may rise by more than two degrees centigrade and water supplies can be expected to drop by 25 per cent.

We as a nation, along with all the other nations around the world, have been living way beyond our environmental means, and we have been doing it for decades. If we do not fundamentally change the way we do things, our way of life, our health and our future are in real jeopardy. Climate change is here, and we as a nation—that is all of us: all levels of government, all communities and each of us individually—need to change the way we do things in order to change this nation’s course.

We need a Prime Minister who will lead us—not in a fantasy world but in the real world. Our Prime Minister is a man who thinks that the effects of climate change are still 50 years away and who said, just a month ago, that his government was not really interested in ‘what might happen to Australia and the planet in 50 years time’. That is our Prime Minister. The man charged with leading this country to the new realities of life on a warming planet still thinks the problem is 50 years away, and he does not care.

The Stern review makes it abundantly clear that we do not have 50 years. It is an interesting document, and a scary one. It makes the scientific case for urgent action. The science we have seen before; this is the first time we have really seen the economic case put together. The Stern review forecasts that one per cent of GDP must be spent now in tackling climate change to ward off a 20 per cent downturn in the world economy. One per cent of GDP is a lot of money, about the same amount that we spend on advertising, for example.

The commissioner of the report summed up the required change in attitude beautifully. He first comments that in the 20th century we pursued the twins of growth and full employment. He goes on to say: ‘In the 21st century our new objectives are clear. They are threefold: growth, full employment and environmental care.’ The reason is obvious and Stern makes the economic case. We cannot any longer sustain full employment and growth without environmental care. Floods from rising sea levels could displace 100 million people, including quite a few of us. Droughts may create tens or even hundreds of millions of climate refugees. If we keep ripping the guts out of our planet, mother nature will shut us down. Stern’s message is simple: act now and act big. If we do not, we will have to choose between growth and our fabulous environmental icons like the Barrier Reef.

We need someone to lead the change, and the Prime Minister is not that person. Even those who admire him at best say he is ‘steady as she goes’. When it comes to the environment he is more than relaxed and comfortable; he is asleep at the wheel. We need new ideas; we need new strategies. We are getting those from the opposition, but
Ms LEY (Farrer—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (9.25 pm)—I appreciate the opportunity to report to the House following a visit by the Prime Minister to my electorate of Farrer in order to familiarise himself with the effect of the drought on rural New South Wales, and in particular the effect on general security irrigators in the Murray Valley. The drought is not an issue that has just appeared for our farmers. Many of them have not had a good season in four or five years. Some have been lucky enough—and I use that term loosely—to have this dry spell broken with one good harvest.

One of the things that is biting particularly hard is that irrigators are having water allocations cut, even where they have already paid for the water. To have life-giving water taken away, in some cases less than a week after paying for it, would have to be one of the cruellest things the New South Wales government could do to farmers who are desperate to secure their livelihoods and their futures. This government would not be so callous to farmers and has in fact been far more generous with previous assistance and the new range of measures announced in the past fortnight.

As I said, it was fantastic to welcome the Prime Minister to my electorate last Friday to meet and greet farmers, communities and small businesses at the coalface of this drought. The visit took in a farm between Finley and Tocumwal belonging to Eric Dudley. I thank him and his family and those who gathered there on that day for their efforts. I also thank those who came to listen to the Prime Minister at the Finley RSL club and who spoke to him so passionately about how they feel about their communities, their families and their futures. We did not think an Australian Prime Minister had visited Finley before—and I certainly do not believe that, if they had, it would have been at such desperate times for rural people.

We stood in a bare paddock on the edge of an irrigation channel—which, if the situation does not improve soon, could well be dry by the middle of January. We looked at what would be a rice paddock beyond, except there certainly is no rice being grown there at the moment, on a zero water allocation. In fact, we were surrounded by paddocks that look like any paddock does in 13-inch rain-fall country in the middle of January. We were able to explain to the PM that this mixed farming property would normally have pasture two feet high with something eating it. There was a cold wind blowing, dust in the middle distance, and I do not think there was any greater demonstration of why irrigated agriculture, driven by the magnificent Snowy Mountains scheme, matters so much to this country. I was reminded of Henry Lawson’s poem *Borderland*, published in 1892. I will quote a short verse:

I am back from up the country—up the country where I went
Seeking for the Southern poets’ land whereon to pitch my tent;
I have left a lot of broken idols out along the track,
Burnt a lot of fancy verses—and I’m glad that I am back—
I believe the Southern poet’s dream will not be realised
Till the plains are irrigated and the land is humanised.

There certainly was humanity in the towns we visited. I know these farmers and small businesses appreciated the chance to hear the Prime Minister talk about what is being done to ease them through these tough times. But I
know that the chance to have the ear of the Prime Minister, so to speak, was even more satisfying.

I am certain Mr Howard will have these rural voices ringing in his ears as a more comprehensive drought assistance package is developed, as will be required in the months ahead if we do not get rain. And we must not lose sight of the fact that it will rain again. Why, then, must certain groups and people use the drought as a stick to beat farmers over the head with? You rarely hear or read media reports praising farmers for the environmental work they do, whether it is planting trees and dealing with erosion through Landcare or the water efficiency gains made by irrigators. But, as soon as a dry paddock is flashed across the TV screen or a parched creek bed published in the paper, the usual suspects cry environmental vandalism and call for farming in Australia to be scaled back. This is utter nonsense. No other industry in this country relies more heavily on a stable environment than our agricultural industries. Sustainability to them is not just an abstract concept to discuss over a cappuccino; it is an ongoing part of their business enterprise—it is practised every day to ensure the ongoing viability of the farm.

Our farmers have been the first to embrace technological improvements and the latest breakthroughs in sustainable farming, as well as coping it on the chin as more and more restrictions are placed on them from bureaucrats who think they know the land better than the people who have been there for generations. What is most disappointing is that, more often than not, when someone lashes out at our farmers, they do not offer any kind of viable solution to the problem. Perhaps they could use this energy to come up with something other than the usual 'get farmers off the land' routine. This is a dry country and it always has been. But in the past there has been the will to complete projects such as the Snowy Mountains scheme and the Ord River scheme.

The SPEAKER—Order! It being 9.30 pm, the debate is interrupted.

House adjourned at 9.30 pm
NOTICES

The following notices were given:
Mr Ruddock to present a bill for an act to amend the law relating to customs, and for related purposes. (Customs Legislation Amendment (New Zealand Rules of Origin) Bill 2006).
Mr Ruddock to present a bill for an act to combat money laundering and the financing of terrorism, and for other purposes. (Anti-Money Laundering and Counter-Terrorism Financing Bill 2006).
Mr Ruddock to present a bill for an act to deal with transitional and consequential matters in connection with the Anti-Money Laundering and Counter-Terrorism Financing Act 2006, and for other purposes. (Anti-Money Laundering and Counter-Terrorism Financing (Transitional Provisions and Consequential Amendments) Bill 2006).
The DEPUTY SPEAKER (Hon. IR Causley) took the chair at 4 pm.

STATEMENTS BY MEMBERS

Apprenticeships

Mr KEENAN (Stirling) (4.01 pm)—I rise to speak on a remarkable achievement in my electorate of Stirling regarding Australian apprenticeships. There has been a marked increase in the number of young people learning the vital skills that my home state of Western Australia will need to sustain its unprecedented growth and lock in future prosperity. Since the Howard government was elected, the number of people training under Australian apprenticeships in Stirling has risen from 1,400 in March 1996 to over 3,000 in March 2006. This is an increase of 1,630 people learning vital skills in traditional trades, as well as trainees across our many local industries. It constitutes a 116 per cent increase in Australian apprenticeship training in my local area, a very welcome figure for the people of Stirling.

Recently released figures from the National Centre for Vocational Education Research showed that there were 403,000 Australian apprentices in training in the March quarter of 2006, which is a 161 per cent increase since the coalition was elected in 1996. This is further proof that the Howard government’s initiatives and Work Choices changes are encouraging people to seize training opportunities, particularly in the trades. Anyone who wants to learn a trade can now access the many opportunities the Australian government is providing to help them obtain marketable skills to contribute to our vibrant economy.

The Australian government is delivering a range of initiatives during 2006 and through to 2009 as part of a $10.8 billion investment in Australia’s future, the biggest ever commitment to vocational and technical education by any government in Australia’s history. This includes the Tools for Your Trade Initiative, which allows many Australian apprentices who started after 1 July to receive a tool kit to the value of up to $800. This initiative greatly benefits our local trade industry, and I am confident that many local employers and Australian apprentices will participate in the Tools for Your Trade Initiative, allowing many of our apprentices to achieve a financial head start in their new careers. When eligible Australian apprentices have completed three years of training, a voucher will be provided to their employer to purchase a tool kit. The Australian apprentice can keep the kit upon completion of a further six months of training. This very important initiative is one of the many measures that the Australian government has introduced to assist in addressing areas of skills needs in the trades.

The list of eligible Australian apprenticeships for the scheme includes apprentice welders, sheetmetal workers, motor mechanics, auto-electricians, panelbeaters, carpenters and joiners, chefs, bricklayers, plumbers and many more. In a booming state such as Western Australia, these many programs and initiatives are to be commended in helping our young people secure their own futures and secure the economic prosperity of all our local communities, particularly those in Stirling. (Time expired)

Holt Electorate: Casey Kids Club

Mr BYRNE (Holt) (4.04 pm)—I rise today to talk about an incredibly innovative program called the Casey Kids Club. It is a concept that was designed to bridge the void between children with disabilities who can access out-of-school programs and those who cannot. The Ca-
sey Kids Club has been running a program through the various school terms. It has accommodated between five and eight special-needs children from Marnebek School in Cranbourne and Dandenong Valley School in the City of Casey. The venue is at the Dandenong Valley School, and the children from Marnebek are transported by bus. Between 3 pm and 6 pm after school, qualified respite carers run structured activities in a group setting in which children can also socialise with their friends.

The Casey Kids Club has a two-pronged objective. The first is to ensure that children are purposefully involved in activities, are socialising with their friends and have an activity that is theirs to look forward to—for instance, basketball or other activities which interest them. The second is allowing the parents, particularly in that time band of between 3 pm and 6 pm, to meet their commitments to work, meetings or studies or even, if necessary, complete home duties such as shopping and banking, essentially giving them more flexibility and avoiding the negative effect of a complete withdrawal from the community. This program has given the parents and carers that have participated in it the opportunity to spend time with their other children, becoming involved in their out of school activities.

After term 1 there was a very comprehensive pre- and post-evaluation program conducted by the Bunurong community care service development coordinator to measure the outcomes for children and families. Though obviously brief, the postevaluation found extremely positive results—so much so that the parents and people associated with it wanted to extend the program past term 1. But, because they could not find a provider or an organisation to provide funding for it and they were struggling, they actually got donations from the community. Finally the Commonwealth Carer Respite Centre in the southern metropolitan region and Wresacare provided interim funding to keep the program growing. But we have now got to the stage that I believe this very innovative social program needs to have Commonwealth funding to continue.

The organisers behind this—particularly Amanda Stapledon, the driving force behind this particular program, who has a special needs son, Pete, who has been accessing the program—have been requesting a meeting with the minister, Minister Cobb, to discuss funding this program not only in Melbourne but across Australia. But, notwithstanding our efforts to access a meeting and a donation by Paul Creasy to fund an airfare to meet the minister, the minister has refused to meet this mother. That is an absolute disgrace and an indictment of the government. The minister should get his act together. (Time expired)

Emerald Primary School Frog Bog

Mr WOOD (La Trobe) (4.07 pm)—On 4 October 2006, I attended the opening of Emerald Primary School’s fantastic new frog bog at Emerald in my electorate of La Trobe. On 19 August 2006, a large team of volunteers from the school community generously gave up a day of their weekend to build the frog bog—to excavate earth, to wash stones, to erect fences and to plant new vegetation. It is a fantastic achievement. I would like to mention them all by name: Rob Whitworth, Terry Simpson, Marg Anderson, Helen Key, Simon Farrow, Daniel Jordan, the Johnson family, the Copey family, the Scanlan family, the Fuller family, the Kruithof family, the Kollmorgen family, the Korschan family, the Brock family, the Noack family, the Hehir family, the Woods family, the Tait family and the Wiederhold family. Nearly the whole town was there, and they did a magnificent job.
I must also mention the local businesses and other groups without whom the project would not have been possible: Emerald Mitre 10, which provided discounts and advice; Waterwerks, which provided the pond lining; Emerald Hire, which provided a cement mixer; the Emerald primary parent group; the Emerald Primary School council—and I must congratulate Lee Fuller, who is retiring after doing a fantastic job; everyone else who helped ensure the great success of the ‘Frogs for Frogs’ fundraiser, which raised $2,000; and Councillor Ed Chatwin of the Cardinia Shire Council, who donated $300.

The new frog bog is a wetland area that has been furnished with over twenty indigenous plant species and soft river stones. The project is intended to teach the students how the natural environment will flourish all on its own under the right conditions. But why frogs? The reason is that the presence of frogs in a particular area can be a measure of that area’s environmental health. In this way, the project uses what might be called the Field of Dreams philosophy, from the 1989 film starring Kevin Costner—and I am sure my Labor colleagues will like this: if you build it, they will come. And come the frogs have. I understand that several local frog species are already trying out their new home. It is already becoming a living outdoor classroom. It is tremendous to see local communities in my electorate getting together, getting their hands dirty and teaching by example, especially where the environment is concerned. Like I said to the students of Emerald Primary School on my day there, if I were a frog, that would be my frog bog.

Newcastle Electorate: Health

Ms GRIERSON (Newcastle) (4.10 pm)—I draw the House’s attention to some of the great work being done by people in my electorate of Newcastle to increase awareness and raise funds for research into some of our most pressing medical problems: juvenile diabetes, cancer and mental health. A delegation of children with juvenile diabetes is travelling to Parliament House tomorrow to raise awareness about this disease. Eight-year-old Grace Gibson from my electorate will be among them. Grace is a fine ambassador for her peers and shows remarkable maturity in dealing with the everyday consequences that accompany type 1 diabetes. After meeting Grace last month, I felt privileged to cut the ribbon on the 2006 Walk to Cure Diabetes in our region at Speers Point Park on Sunday. The walk was very successful—a successful family and community event highlighting the very real needs of children like Grace and their families living with juvenile diabetes.

It was a weekend of generous activity in my region last weekend with the cancer Relay for Life also taking place at Glendale. The first relay lap was led by cancer survivors in their honour. It is a very emotional walk. Many of us simply cannot imagine the extreme physical and emotional strain of cancer diagnosis, treatment and survival, but we can all empathise with this struggle and offer our support. Victoria Phillis and Kerry McGuire, both cancer survivors and work colleagues of mine, were part of the lap of honour. They exemplify individual courage matched with a commitment to use their experience to benefit others. In fact, Victoria personally raised over $2½ thousand for cancer research last week—a wonderful effort!

The Newcastle Relay for Life committee deserves great praise. Consisting of 12 volunteers, the committee has turned the Newcastle Relay for Life into the fastest-growing relay in New South Wales, growing 300 per cent in financial terms and 90 per cent in participation. This growth reflects the great work the committee has done, under the outstanding leadership of Barbara Whitcher, in promoting an event that raises funds for research, disseminates the
Cancer Council’s messages and brings together survivors, would-be-survivors, carers and supporters in an amazing spirit of hope. Barb is a great colleague as well.

Sadly, Hunter residents are more likely to die of cancer than those in any other part of New South Wales. But, while Novocastrians are playing their part, there is one simple action the Howard government could take to greatly improve the prospects of cancer survival in our region—to extend Medicare rebates to patients accessing the PET scanner at the Mater hospital. It is a shame that the government still has not acted on this, choosing instead to spend the public’s money in other ways, such as on advertising.

I also note an outstanding youth mental health conference that was held in Newcastle in October. The Mind Works Conference brought together students, teachers, families and carers from all around the region to increase awareness of mental health issues among adolescents and have young people take some ownership of local mental health issues. I congratulate the Sunflower Centre in the Hunter and the Schizophrenia Fellowship of New South Wales for organising this important event. I look forward to receiving the outcomes and recommendations produced by the young people involved.

**Walk for Daniel**

Mr SLIPPER (Fisher) (4.13 pm)—I wish to highlight a special event that was held on the Sunshine Coast this morning. The Walk for Daniel attracted some 140-plus people who participated in a community walk from the Suncoast Christian College car park at Woombye to Kolora Park at Palmwoods. The walk had several aims. It launched the Day for Daniel, which draws attention to child safety matters as well as the unsolved disappearance of Daniel Morcombe, who vanished on 7 December 2003 while waiting for a bus. The bus stop is not far from where this morning’s walk started. Daniel was about two weeks shy of his 14th birthday. He is believed to have been abducted and murdered. Despite extensive police investigations that are still ongoing and widespread media coverage that has extended across Australia and around the world, key information that will solve this mystery is still needed. It is hoped that events such as the Walk for Daniel, which received nationwide media coverage on the *Sunrise* television program this morning and will feature prominently in the Sunshine Coast media, will ensure that the search for information on Daniel’s disappearance will not stop until the answer is found.

The walk also highlights the aims of the Daniel Morcombe Foundation, which promotes child protection initiatives, in particular the education of children to make them aware of the dangers in our community. As the website of the foundation says: ‘All too often children are the innocent victims in our sometimes cruel society.’ The events surrounding Daniel’s disappearance have strengthened the community in their resolve to ensure that this type of tragedy never occurs again. That community resolve was certainly on display at the walk this morning. A member of my staff who lives at Palmwoods tells me that it was a sight to see. Walkers wore red and carried red balloons, forming an impressive mass of bright red as they made their way down the footpath on the Woombye-Palmwoods Road.

*A division having been called in the House of Representatives—*

**Sitting suspended from 4.15 pm to 4.28 pm**

Mr SLIPPER—As I was saying before I was interrupted by the division in the main chamber, red is the colour of the T-shirt that Daniel Morcombe was wearing the day he disap-
peared. It is now also the colour of the foundation. The Daniel Morcombe Foundation aims to assist victims of these sorts of crimes, to promote and attract fundraising and to ensure that the search for Daniel continues.

As a father of two, I wish to honour Daniel’s parents, Bruce and Denise, for the strength they have displayed in what can only be a heart-wrenching situation. The loss of a child in such circumstances is something the rest of us find almost incomprehensible. It is testament to Bruce’s and Denise’s love and commitment that they continue to drive the Daniel Morcombe Foundation and have used their own unbearable situation to promote the ideals of child safety to other children and parents in the hope that they will help prevent similar crimes and therefore protect families from the pain that they themselves have suffered with their loss of Daniel. I want to commend the Sunshine Coast community for their support of the family, and I hope that it is possible to find the necessary information so that the family is able to achieve the closure they so desperately desire and deserve.

**Older Australians**

Ms KATE ELLIS (Adelaide) (4.29 pm)—As a parliament, we often talk about the economic challenges that come with providing for our ageing population. This is very important, but it is equally important that we talk about the value that older Australians add to our communities, to our economy and to the Australian nation.

Last week I organised a function in Adelaide to recognise the amazing community contributions by many older Australians within my electorate. At this function we asked local community groups to nominate older Australians who had made a valuable contribution to our community. These nominations came from local branches of the Rotary Club and Meals on Wheels, RSL branches, St John Ambulance divisions, Lions Clubs, neighbourhood watch groups and all sorts of other community organisations. I cannot think of an occasion when I was surrounded by more inspirational company. In the room we had 100 guests who had made some amazing contributions to our community. Whilst I would love to be able to share all of their stories, I recognise that this parliament cannot allow me the time do that, so I may just share a handful of examples of the sort of hardworking, dedicated volunteers who were honoured in my electorate last week.

One example was Mrs Barbara Wilton, who was nominated by Prospect Meals on Wheels, where she has been a volunteer for 48 years. She served the first meal that was ever cooked in their kitchen. We also honoured Mr Lindsay Wills, who was nominated by the Rotary Club of Enfield, where he has been a member for 30 years; he has never missed a meeting. We honoured Mr Albert Bonynghon, who has been a worker at the Kilburn RSL for over 50 years. He is also a life member of the Kilburn Football Club and Kilburn Cricket Club and he was the originator of night football in Kilburn in the sixties.

The examples are many. Mr Brian Doherty was nominated by the Blair Athol neighbourhood watch group; he has worked tirelessly there. He is also president of the Kensington and Norwood brass band, the Enfield Horticultural Society, the Walkerville Bowling Club, the City of Enfield brass band and several other community groups. There are a host of amazing contributions to our community. It is very important that as a parliament we recognise some of these fantastic achievements. Let me mention another person, Mr Stan Lesnicki OAM. Stan has been associated with Ethnic Broadcasters since 1975. He has been presenting the Polish radio program since commencing at the station; for 18 years he has successfully run the sta-
tion’s sports program every Saturday afternoon. Now in his 80s, he is still producing and presenting his own program.

I thank all of these older Australians for their amazing contributions and for their contributions to our community. We will continue to honour them. (Time expired)

School Chaplains

Mr HUNT (Flinders—Parliamentary Secretary to the Minister for the Environment and Heritage) (4.32 pm)—Today I want to pay tribute to a new program which has been announced, a national chaplaincies program. I wish to make three points. One is about the program, the second is about its purpose and the third is about its origins.

Let me give a brief outline of the program which has been announced. It is a $90 million program over three years. The essential component is an offer of up to $20,000 per school for all schools in Australia to appoint a chaplain—no matter where they are, no matter whether they are government or non-government and no matter what their denomination is or even if they have no denomination. I understand that schools will not be able to appoint a chaplain without raising their own funds; it will cost more. But we are giving them a base; we are giving them an opportunity. It is a fundamentally important thing. It is done on a completely non-discriminatory basis and it is done with an eye to what I think are critical purposes. These purposes start with a simple notion: pastoral care. The program is not about some deep suspicious purpose but about pastoral care.

I have been fortunate to meet with students from Rosebud Secondary College and Dromana Secondary College who have overwhelmingly endorsed and supported the work of chaplains within their own schools. The very proposal itself comes from the students, the parents and the staff of these schools—from the desire to do something on a broader basis.

This notion of chaplaincy and pastoral care in our schools adds to existing resources in school—whether it is for a tragedy, a family break-up or simply to talk about the fundamental questions of exploring meaning, purpose and role for each individual. This notion in no way replaces existing resources of current counsellors; it is about an additional opportunity and giving students that choice.

For the very fact that this program has been created, I want to turn to a number of colleagues and a number of people within my electorate. The member for Greenway, the member for Bowman and the member for Wakefield all joined together, and I was proud to work with them, in helping to create this program. We took our lead from people within our own constituencies who sought such a program. In my own electorate, people such as David Price, Peter Rawlings, Dale Stephenson and so many others who have been engaged in chaplaincy programs have played a critical role. I am delighted to commend the program. I thank all of those involved. Finally, I thank both the Prime Minister and Julie Bishop for their contribution.

Muslim Community

Mr MARTIN FERGUSON (Batman) (4.35 pm)—To Muslims, Islam is the religion of peace and reason, yet increasingly in the Western world it is falsely seen as the seed that germinates terrorism. Just this month, like many of my colleagues, I joined members of my local community in the festivities celebrating the end of the holy month of Ramadan. The celebrations mark the breaking of the fast and are a significant occasion, not unlike the celebration of
Easter by us Christians. It seems unfair to suppose that this event, just because it is held within Australia’s Muslim community, is tainted by a growing yet unfounded fear based on nothing else but cultural difference. Yet, increasingly, this is unfortunately what is happening in our society today.

In Australia, people of different faiths and cultures find themselves marginalised despite this country’s claims to multiculturalism. This week the headlines have been dominated by the actions of the Muslim cleric Sheikh al-Hilali, who yesterday, amid the controversy, stood aside from his position as imam at Sydney’s Lakemba Mosque. Today’s Melbourne newspaper headlines were dominated by comments made by Melbourne’s Sheikh Omran.

I am not defending either of the sheikhs in making these remarks—the community will judge them appropriately—but we cannot hold the entire Muslim community accountable for the words of a small minority. It would be a failing of the Australian community to do this and to demonise the entire Muslim community in painting the community with the same brush that marks the exceptional few who practise Islam and who defy common laws and human decency.

Terrorism in our community is rare, but on the rise is an intolerance of difference. Difference is not something we should shy away from. It is something that can actually enrich our lives, and it is something that we should openly value, promote and embrace. On that note, I want to refer to the remarks of the President of the Alawi Islamic Social Centre at a ceremony last Saturday night celebrating the end of Ramadan. It is about time some people took these comments on board. He said:

We respect and hold Australia dear to our hearts and the first lesson we teach our children is to love and respect its laws.

He then went on to state:

Our main aim is to protect Australia and ensure its safety, because our future and that of our children is undoubtedly that of our chosen country.

Fearmongering, the unfounded vilification of minority groups, bigotry and indiscriminate attacks on innocent citizens are what we need to be cautious of, to fear, to shun and to walk away from in our society. Yes, those imams who have made mistakes should be held accountable, but we should be very careful in this debate not to demonise the Muslim community, who are no different to anyone else in Australia’s rich, prosperous and tolerant society. Multiculturalism has been good for Australia. It is about time people stood up.

Nowra Public School

Mrs GASH (Gilmore) (4.38 pm)—Recently I had an occasion to visit Nowra Public School to view the works the school has completed as a result of funding from the government’s Investing in Our Schools program. I have to say that I was very impressed with what I saw. The funding had enabled the school to provide a first-class playground. Having been in the school previously on a number of occasions, I remember what the playground looked like before. No more rough ground. No more potholes where the children played. No more playground equipment that was falling apart. Instead, the play area was tastefully set up with sandpits and aluminium benches for the children to sit on. The trees were tastefully integrated into the area, and the playground equipment was shiny and new, with rubberised impact surfaces where the children played. This is a program that I know is appreciated by both parents...
and teachers, who now have an opportunity to do those things they always longed to do but for which they had no funds to realise their ambitions for their children.

I was escorted throughout the school by the school principal, Clive Robertson, who was clearly very proud of his school and his charges. Clive is an energetic and dedicated teacher who, despite his extensive qualifications, has elected to stay in the environment he really values. I could immediately see the benefits that this dedicated teacher was bringing to his school. Clive took me to see a classroom which was specifically dedicated to managing students that had been suspended—not only from his school but also from other public schools in the Nowra and Bomaderry area. I was very impressed by what I saw—impressed and proud that it was in the electorate of Gilmore that this initiative had originated.

The concept is simple but far-reaching. Instead of allowing the students to leave the school in an unsupervised environment, they are given the option of attending the special class where they get a one-on-one tuition. Many of these children have behavioural disorders brought about as a result of either a personality defect in their own make-up or the fact that they come from dysfunctional families. When they are suspended, they either go to an empty house or a house where there is conflict. Alternatively, many just go to the shopping centres and continue their dysfunctional behaviour in another setting. That does not address the problems that brought them to the suspension in the first place, and thankfully Clive Robertson’s class is addressing a desperate need. The more they are allowed to continue the pattern, the more this behaviour becomes entrenched and, before you know it, they have grown to become, as I said, dysfunctional adults themselves and potential criminals.

This program has been going for about three years, and I understand that the concept is going to be introduced into 20 other regional centres. That is a tremendous vote of confidence in the investment by Nowra Public School in this program, and I commend all those that are involved in it, especially Lorell Bird, Jenny O’Donnell and all the staff. It is their dedication to this program that makes it such a success.

South Melbourne Centrelink Office
Albert Park College
Melbourne Ports Electorate: Childcare Centres

Mr DANBY (Melbourne Ports) (4.41 pm)—I am pleased to note the opening in my electorate soon of a new Centrelink office in York Street, South Melbourne. Recently I attended the usual weekly sausage sizzle at the housing commission in Park Street and did appreciate thereaction of a lot of my friends down there, including Marlene McKay and Val Heagerty, to the work that my office had done to ensure that once the existing Centrelink office opposite the South Melbourne Market closed it did not mean that a new office would not be opened. There has been a particular problem with that South Melbourne office and although I have not been asked—despite being probably the most active person in the area to see that Centrelink stay open—to open the office, the local Liberal senator has. I suppose that is one of the privileges of the office of government. Nonetheless I would rather have the accolades of people down at the housing commission than open the new Centrelink office anytime. While I was down there, I saw that there is lots of new office space in York Street, South Melbourne. Perhaps the Australian Electoral Commission ought to move back out of the city and into some of that new accommodation so that we can have an AEC office back in the electorate.
Sadly, while one institution is opening, another important local institution has closed down. The teachers and parents at Albert Park College sadly had to deal with the drastically falling enrolments at that school and voted to close the college. That is a great shame. It is a great institution. I have attended many of their speech nights and ceremonies. I am sure that the college will rise again. It is very important that the 200 kids who are still enrolled there be treated very sensitively and that every possible measure be taken to see that they are integrated into local schools, like another great local institution—Elwood Secondary College.

While we are speaking about that closure of Albert Park College, I am sure that all measures will be taken to see that the very successful Albert Park creche, which is located at the same site, stays open. I am certainly working to see that it stays open for all of the parents. It does seem a shame if one successful institution has to pay the price for another organisation that has gone into abeyance. Talking about child care, it is most interesting to note that the state government and the council have voted to establish 90 places at the Elwood hub—a plan exactly like the model that Labor leader Beazley and childcare spokesperson Plibersek have been talking about in this parliament. I congratulate them particularly on having 30 places for four-year-old kinder.

**The DEPUTY SPEAKER (Hon. BK Bishop)**—Order! In accordance with the resolution agreed to in the House yesterday, the time for members’ statements has concluded.

**AUSTRALIAN CITIZENSHIP BILL 2005**

Cognate bill:

**AUSTRALIAN CITIZENSHIP (TRANSITIONALS AND CONSEQUENTIALS) BILL 2005**

Second Reading

Debate resumed.

**The DEPUTY SPEAKER (Hon. BK Bishop)**—The original question was that this bill be now read a second time. To this the honourable member for Watson 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 BOWEN** (Prospect) (4.45 pm)—As a nation we have not fully capitalised on the benefits that can come to us from our diaspora. There are, on any given day, a million Australians living overseas. I have referred in the House previously to the Lowy Institute report entitled *Diaspora* by Dr Michael Fullilove and Dr Chloe Flutter. On the opening page of their report, Drs Fullilove and Flutter note the following:

… the ‘Australian diaspora’, is large and, in the main, prosperous, well educated, well connected, and well disposed to this country. It is also very mobile: rather than turning their backs on Australia once and for all, expatriates these days are more likely to move back and forward between Australia and other countries as opportunities present … The Australian diaspora should be seen as our ‘world wide web’ of ideas and influence.

Drs Fullilove and Flutter go on to make a range of practical suggestions about how Australia can better utilise the services of our diaspora. More importantly, the report makes the very strong case that a desire to live overseas for a time does not eliminate or reduce the loyalty of that individual to Australia.
I acknowledge the work of the Southern Cross Group, which supports expatriates and promotes their cause in spreading this message. They have been very vocal about the Australian Citizenship Bill 2005. Some of the things they have called for in the bill have been incorporated; others have not. For others it falls to the Labor Party to argue for and to continue to argue for, in particular on the matters I referred to previously in relation to the revocation of citizenship under section 18 of the act and the government’s failure to remedy that for those individuals and the children of those individuals.

I would also like to pay my acknowledgement to the work of Mr Lawrence DiMech, who lives in my electorate. He is the President of Maltese Welfare New South Wales Inc., a very vocal and well-known advocate for the cause of Maltese in Australia and one who has been very vocal on this bill and on the matter of citizenship generally. I regard him as somewhat of an expert on citizenship given the amount of time he has spent working in the department of immigration on citizenship matters.

I urge the government to accept Labor’s amendments and Labor’s propositions, which have been put in good faith to allow the 2,000 to 3,000 people of Australian descent who live in Malta, and the children of those people, to reclaim their Australian citizenship, revoked under section 18 of the act. I submit to the House that this would not only be fairer but it would also be an outcome in keeping with our national interests. Generally I support the bill, with the reservations that I expressed earlier about residency requirements and the government’s failure to fully deal with the matter of Maltese expatriates. They have dealt with it partially but not fully. I also express my reservations, as other honourable members have done, about the failure to give the minister discretion to deal with people who have been imprisoned for more than five years in an overseas country and the automatic refusal of citizenship to those people.

In the vast majority of cases that would be appropriate, but, as the honourable member for Gorton pointed out in his earlier contribution, under that rule, should Nelson Mandela, for example, choose to seek to be an Australian citizen he would be rejected and nobody would have the right to overturn it. That does appear to be an anomaly which the government should rectify. The government should also rectify the other shortcomings in relation to section 18 revocations. The government should revert to its original position of only increasing the residency requirement to three years out of five, not the four years out of five as they have amended their own bill.

Mrs Markus (Greenway) (4.49 pm)—I rise today to speak on the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005. This new package introduces a number of amendments to both bills so that the government can achieve better structured and more accessible and modernised citizenship legislation. The amendments in these bills address a number of the recommendations that were made by the Senate Legal and Constitutional Legislation Committee inquiry, the report of which was tabled in February this year.

One of the most significant points is the incorporation of simplified outlines to assist readers to understand the legislation and clarification of the circumstances in which an application for citizenship may be made by a child in their own right and those in which an application may be considered as part of the application by a responsible parent.

Since the introduction of Australian citizenship in 1949, more than 3.5 million people have become citizens. Today, 95 per cent of the population are Australian citizens. This bill has
come about to rationalise and update the original act, which was first passed in 1948, so that more people can share the privilege of becoming Australian citizens over the coming years. Also, we must not forget the 900,000 permanent residents who are eligible to become citizens, should they choose to take the steps towards citizenship.

Citizenship gives individuals the right to be an Australian, to vote and to have a voice in this country’s future. The importance of raising the value and awareness of citizenship cannot be underestimated. After all, apart from our Indigenous population, we are indeed a migrant population. I see this in my electorate of Greenway every day, where there are families and individuals from all parts of the globe: more than 100 different nationalities are represented. In 2004-05 alone, more than 93,000 people from over 170 different countries took Australian citizenship. This bill will provide an opportunity for other individuals who want to share in the future of this country.

The major provision in this bill is the recently announced and widely publicised amendment of the requirements to apply for citizenship. Currently, individuals who wish to apply for citizenship are required to have spent a minimum of two years as a permanent resident in Australia in the last five years, including 12 months in the last two years. However, the proposed amendment coincides with changes to government policy on the residency requirement. These changes will mean individuals who wish to apply for Australian citizenship must have a minimum of four years lawful residence in Australia immediately prior to making an application for citizenship. The four years of lawful residence must include at least 12 months as a permanent resident. This is similar to current residency requirements in other countries such as the UK, Canada and the US.

It is important for prospective citizens to understand and appreciate the Australian way of life and the commitment they are required to make to become a citizen. To do this, they must have spent a reasonable period of time living in Australia, so that they are familiar with the Australian values and our way of life and can integrate successfully into Australian life. I would like to highlight these key values: respect for the unique, intrinsic value of each individual; respect for the rule of law; the equality of men and women; a fair go for all; and compassion for those in need.

In the recent week, we have had the third point I mentioned—equality between men and women—challenged by comments by Sheikh al-Hilali. Can I first acknowledge that I have many dear friends in the Muslim community that abhor these comments. These comments are not about religion; they are about the value of and the attitude towards women. His comments are unacceptable and, can I say, unequivocally un-Australian. In this nation, Australia, we are proud that men and women can stand side by side and that in this House we can work together to plan and work towards the future of our children and our children’s children. It is critical that women and men are treated equally.

Equally significant is a change in government policy to individuals who have renounced their citizenship to acquire or retain another citizenship. Now, former citizens who resume their Australian citizenship will be able to sponsor family members for migration to Australia. On the weekend I attended a citizenship ceremony for the Maltese community in Marsden Park, in Western Sydney. The opening statements were made by Charles Mifsud, president of the Maltese Community Council. His statements were about his pride in being Australian, his
and his community’s loyalty and commitment to Australia and to its future, and his gratitude for what Australia has given to him and to his community.

The Maltese community have contributed significantly to the local area. In my electorate of Greenway they have worked hard; they have worked side by side. Many of them have contributed towards the food needs of the greater part of Sydney, having worked the land. This legislation is significant to the Maltese community. I acknowledge that they would have liked the Australian government to have gone a little bit further, and that can possibly be looked at as time progresses.

As part of the policy rationale within these bills a number of discretions which were difficult to administer will be removed from the bills. The most significant is in relation to periods of time spent overseas involved in activities that are beneficial to Australia. However, there is also a recognition that time may need to be spent outside Australia, and therefore periods totalling more than 12 months in the four years, including three months in the 12 months, prior to application will not affect eligibility. However, two discretions have been included. The first is that it is better to recognise interdependent partners of Australian citizens. The other discretion will provide for the minister to treat a period spent in Australia, other than as a permanent resident or an unlawful noncitizen, as a period of permanent residence if the person would suffer significant hardship or disadvantage if citizenship were not granted. These two discretions will make the process much more flexible and accessible for those applying for citizenship.

The amendments laid out in these bills will not only provide transparent legislation to support the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005; they also raise the awareness of the value of citizenship and encourage eligible people to become citizens. Australian citizenship is a privilege; it is not a right. And with it comes the opportunity to be one of the many voices that make up this nation, Australia. It provides individuals, families and communities with the chance to become a part of one of the safest, most prosperous and most peaceful societies in the world.

Our citizenship law and policy have been at the heart of success of these programs. Our law and policy have changed over time to reflect the changes in Australian society, and the amendments that have been set forth today reflect those changes. For these reasons, I commend these bills to the chamber.

Mr LAURIE FERGUSON (Reid) (4.58 pm)—Janet Albrechtsen has certainly started paying back the Prime Minister for her recent appointment to the ABC. In her recent column of 25 October she commented:

PAUL Keating and his admirers have long derided John Howard as a little man, a man with no vision, no passion for big, intellectual ideas.

She went on to comment:

A closer inspection of Howard’s history and a proper understanding of his contribution to the intellectual life of this country proves otherwise. Like it or loathe it, his influence on national debates through the culture wars has been deliberate, long planned and is likely to be remembered long after today’s economic statistics have been forgotten.

The Prime Minister is no Johnnie-come-lately when it comes to the culture wars.
As Opposition leader, Howard carefully targeted political correctness ...
She further noted:

Challenging the orthodoxy and commenting freely on heartfelt issues such as ... immigration was simply not possible without attracting absurd smears of racism and intolerance.

That is very apologetic for the Prime Minister, but this is an area where despite his forthrightness and his wish to indulge in the culture wars he has, on later occasions, admitted that he is wrong. His thinking is behind the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005. Going back to his original comments, I note his assertions on the John Laws program on 1 August 1988:

... it is legitimate for any government to worry about the capacity of the community to absorb change and there is some concern about the pace of change involved in the present level of Asian migration.

He noted further:

You’ve only got to blink the wrong way when you’re talking about people that come from other parts of the world or with a different coloured skin and you’re branded immediately.

And another comment:

I think the pace of change has probably been a little too great.

We all know that some time later he was a bit more reticent about these comments. In an article in the Australian by Mr Greg Sheridan on 9 January 1995, Mr Howard was quoted as saying:

I admit the remarks I made were clumsy. I can understand why some people legitimately took offence. Janet Albrechtsen said that he engenders improper criticism, but there he was saying that perhaps his remarks on immigration and, more specifically, on Asians, were clumsy. Further in the Australian article Mr Howard is quoted as saying:

It was regrettable that it was couched in particular ethnic terms and you’ll be aware that the policy itself did not repeat that.

So despite the accolades from that noted columnist, the Prime Minister at least conceded that his language was clumsy. Unfortunately, he did not admit that it was totally wrong and that it was racist, but he said it was clumsy and could have been misunderstood. We all know about the narrow confines of his upbringing. He commented on one occasion about how fantastically radical and different it was to see the Italian migrant across the road using tiles on his front porch. This was, of course, very confronting for him.

The main aspect of this legislation that I am critical of is the proposed extension of citizenship specifications of permanent residents from two years. It is motivated by that same attempt to marginalise people, to put people in a corner, and to discriminate against one part of the population. Whilst it is not articulated in specific terms, the terminology that the Minister for Community Services, Mr Cobb, spoke of—international conditions et cetera—is clearly slanted at the Islamic population of this country. That is the coded, nuanced undertone that the electorate is supposed to pick up: we are going to be tough on terrorism by being tough on some people becoming citizens too early.

I am somewhat surprised that some premiers and state leaders in this country could apparently have been persuaded at some stage that there was some security premise for the suggested change in this legislation. Somehow they were given unspecified information, that

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MAIN COMMITTEE
none of us are aware of, that by forcing people to wait an extra year for citizenship Australians would be better protected and the terrorist threat in this country would be reduced. I do not know what that evidence was. I cannot imagine what it could be. Equally, the current government has not come out with further evidence as to why it might now be necessary to move the waiting period from three years to four years.

The situation is that, if you do security checks, it does not matter whether you do them after six months, three years or 10 years; it is the adequacy and the fullness of those security checks. That is what any fundamental protection in this country should be premised on: the adequacy of the tests, the examination, the resourcing of ASIO, the resourcing of the Federal Police, and the resourcing of any other institutions involved in this. To say that postponing the analysis of a person in Australian society is going to somehow protect us is preposterous.

I have heard and witnessed coalition members speaking in a variety of ethnic communities about how inclusive we are and that we essentially want people involved in our society. I often refer at citizenship ceremonies to how long this country has had compulsory voting and compulsory voter registration—since the 1920s. We want people to be involved, to feel that they are part of the decision-making process, that they are not outside the system or marginalised, unhappy and different. This legislation will clearly go in another direction. It will ensure that a group of people are targeted and made to feel that they are in some way different and not to be treated like others.

I found it very interesting when Patricia Karvelas, a reporter with the Australian, confronted the Prime Minister at a Greek event a few weeks ago and noted that half of those present, who were of advanced age—a pensioner group, as I recall—could not speak English. What was the Prime Minister’s response? ‘Oh, but these people helped build the country.’ That goes to my point that this is not about security. It is not about a wholesale, across-the-board approach. It is about giving coded messages to the less informed, less interested parts of this country that we are going to somehow target the Muslim community. In actual fact, it is going to have very little impact on that community. We only have to look at the nature of migration intake in this country.

It is interesting to note that it is going to have very little impact on that community. We only have to look at the nature of the intake of migration in this country. I will go through the 10 major intake countries from the last two years. I will start with the United Kingdom. Yes, there might be a few people in Leicester and there might be a few people in other industrial cities of Britain of Islamic extraction. But I think we know what the religions of the overwhelming proportion of British citizens coming to this country are, if they have got one. The second country is New Zealand. Similarly, because New Zealand took a more liberal approach on refugee intake over the last few decades, you might get a few more Fijian Muslims sneaking through the door after the coups there. From China, yes, you might get a few Uygurs, from western China—people with a Turkic background—but, once again, they are a very small part of the population.

India might have a very large number of Muslims, but not with regard to our overall intake. Sudan is admittedly a country where there might be some Islamic intake, but the majority of them are Christian and animist refugees from the south of Sudan rather than Muslims. In the Philippines, South Africa and Malaysia most particularly you might have some, and it is the same with Singapore and Vietnam.
It is very interesting to note that, whilst the government might like to give this message to the Australian electorate, in concrete, practical terms the community that will be hit by this—and I have certainly been raising it at Indian events lately—is the Indians, for instance. We all know the nature of the skilled migrant intake. There were 123,000 people this year. English, quite rightly, has been given a greater emphasis in the skilled intake. They are not going to be coming from downtown Tripoli, Blouza or Hadchit. They are going to be coming from Calcutta and Mumbai, and they are going to be coming from Britain. They are going to be coming from countries where English is much emphasised. In fact, the people who are prepared to wait four years are going to be coming from these countries in the next few years. That is the reality.

Let us look at the refugee intake. The government has, once again—and I agree with them totally—focused on the reorientation in Africa. There are 8,000 coming this year out of 13,000. They are predominantly from Sierra Leone, Sudan, Liberia and those kinds of countries. Some of these countries have significant Islamic minorities, but the refugees are predominantly not going to be Muslims. The communities that are going to be hit hard by this change are from Britain, New Zealand, India, China et cetera.

Like other members of the opposition, I am intrigued that this is so earth shattering that we have had to, in the last few months, announce an extension. Three years is not good enough for people to wait. It has to be four. In the interim, the figures show that, while this bill has been on the tables of the parliament, nearly 120,000 people became citizens of this country. There is the supposed importance of this to our national security and yet they have allowed this bill not to be moved on or acted upon in that time. What is the credibility of the government in saying that this is an urgent security measure that is actually going to protect us?

Another thing that is talked about is changing the age barrier for gaining exemption from the requirement to speak English. One again, this is another questionable change in this country. I referred to the Greeks earlier with regard to language proposals. It seems that this is actually designed to give a kind of incorrect measure to people—that they are going to somehow deal with one of these minority groups.

I was interested in Adele Horin’s article on 9 September this year in the Sydney Morning Herald. She noted that, despite the urgent need for everyone to speak English in this country, it was not too urgent when the government denied English instruction to 8,900 mainly Muslim refugees arriving in Australia from 1999 onwards. It was not too urgent for them to get English. Despite the government’s bleatings, they are virtually all permanently here now. They are all part of society. They are all people that need English, but it was not too urgent then. This is the same government that can reduce the amount of money they are devoting to English instruction by $11 million.

Adele Horin clearly points out that this situation, on the one hand, is so urgent and so important. No-one is denying that it is better for the country and better for the individuals to have English so that they can access employment in this country and so they can be absorbed into the wider society. The record of these reductions in expenditure and the 8,000-plus people at the moment who were not given English when they were in detention and are now in our society is very questionable.

While I am talking about English, I witnessed in Western Sydney the orientation to the refugee intake from Africa, which I commend very strongly. It is a very worthwhile initiative.
by the government. I also want to say that we will be facing massive social problems in the next few decades because of the failure of infrastructure with regard to English. We are taking people who are illiterate in their own languages: mothers and fathers who do not know their own language, let alone English. Schools in my electorate and some of the other further western schools, both private and public, are really taking the brunt of this kind of problem because of the failure to provide adequate English support.

The other issue I want to touch upon—which I am surprised the previous speaker did not because, last I heard, she had a significant population of people of Maltese extraction in her electorate—is that it seems that the campaign by Maltese residents of this country has not quite hit the electoral office of the previous speaker. One of the things that were not rectified in this piece of legislation was the ability of people of Maltese extraction to regain citizenship. I do not think that there is a convincing argument, despite the fact that the Senate committee this time agreed with the government, that a distinction should be made between these two groups of people who lost their citizenship.

People were forced, virtually with a gun at their head, to give up their Australian citizenship because of the vast array of privileges they were going to lose in Malta if they did not make that decision at 18 years of age. When we have reached the stage where we have liberalised on dual citizenship like the rest of the world, when we have allowed other people to get back privileges they lost in a different area of society and when there is a different attitude by us and the world, there is no logical reason why the Maltese population should be discriminated against in this manner just because their government at the time had those particular provisions.

In conclusion, there are some worthwhile measures in this bill. We are aware of those. I take the opportunity to commend the Southern Cross Group, which has been particularly active around the issues confronting the Australian diaspora. I think their campaign has contributed to a rethink in this country, and they have certainly highlighted these issues. Also—and I think I heard another speaker make this point earlier—one thing Australia is a bit overdue on is recognising the importance to this country of our diaspora. It is a growing number of people. Most of them are young and educated. They are out there in countries making a major contribution. We should be, like other countries—and I emphasise, as I did before, that China and India are two countries that understand this and they have understood it before we have—making sure that we can more fully utilise our diaspora for the national interest.

The main provision in this bill that I am concerned about is this attempt to require people to be here for a longer period of permanent residency before they get citizenship. That is going to be a very significant period for some people. We are talking about whether it is two or four years, or two or three years. I have people in my electorate who, because of security checks, have not been able to bring their spouses into this country for three to four years. Quite frankly, the decision should be made in those cases. Whether it is because we do not have the infrastructure, we cannot get the detail or we cannot get to the bottom of it all, we are talking about some people who, even if they eventually succeed in getting into the country, will be waiting eight or nine years to become citizens of this country. So it is more than two or three, and that goes for some business visas as well. It is not just the period that we are talking about here today; it will be quite extended periods. Otherwise, I commend other aspects of the bill.
Mr JOHNSON (Ryan) (5.14 pm)—I am pleased to speak in the parliament as the representative of the people of Ryan on the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005. These bills represent the largest raft of changes since the original act was introduced in 1948, coming into effect on Australia Day 1949. So the original act is almost six decades old. It is a world-class piece of legislation but, as with all pieces of legislation, the time has come for it to be reviewed and improved upon.

It is quite timely that I am able to speak on this in the parliament today as the representative of the people of Ryan because in recent days the issue of citizenship, loyalty to our country and values in our country has come to the fore with the remarks of a leader in the Muslim community in New South Wales. Of course, I refer to Sheikh al-Hilali. I want to commence my remarks, in the first place as an individual of this country but in particular as a representative in the Parliament of Australia and as the representative of the people of Ryan, by expressing without equivocation my condemnation of his remarks.

I have had a great many Ryan constituents contact me since the remarks came to the fore in the national media. Without overstressing the depth of feeling in those Ryan residents that have contacted me, they have been unanimous in their condemnation and in their outrage. As the representative of the people of Ryan, I want to make it clear that I associate myself very strongly with the remarks of the Prime Minister and all Australians in condemning Sheikh al-Hilali’s remarks and the sentiments and motivation behind them. There is no place in Australian society for them.

As I say, this bill before the parliament is quite timely because of the background in this country and the circumstances of the international community at this time, when we are facing all kinds of challenges, in the realm of economics and in particular in the realm of security. The bill reflects the changes which have occurred in our population since 1948. The population has risen from 7.8 million in 1948 to over 20 million today. We know that the nature of international transport today and the mobility of people, enabling them to move between nations, have revolutionised our world. More than ever travel and relocation between nations is becoming part of people’s lives. The capacity to travel and the affordability of travel for most people in developed economies and societies has impacted upon the sovereign state and the dynamics of relations between countries. This bill seeks to ensure that Australia as a modern 21st century nation keeps in tune with the new world which we are now part of. It reflects our current migration and humanitarian programs in a world which is very much globalised and which is facing unprecedented international security concerns, challenges and threats.

On behalf of the people of Ryan, I want to very strongly condemn the remarks of a gentleman by the name of Dr Ameer Ali, who is the departing chair of the Prime Minister’s Muslim Advisory Council. I will take at face value that his comments are accurate as reported in the Herald Sun on Monday, 9 October. This is part of the background of why this bill is important and why this issue of citizenship and the nature of our citizenship should be very much in focus in the national parliament. Dr Ali is quoted as saying:

“When I go abroad, they ask me where do I come from? I say I come from a Muslim country.”

I want to, in the parliament, emphasise very emphatically my objection to this sentiment and to this remark. I have had many calls from Ryan constituents questioning this sort of sentiment and this sort of loyalty from someone who is a citizen of this country.
Of course, the natural response that most of us would give when we are asked in the broad where we come from is to say that we come from Australia. Our automatic response would be to say that we come from a particular country rather than to say that we are of a particular faith or come from a country that subscribes predominantly to a particular faith. So, like the overwhelming number of my constituents that contacted me, I reject very strongly such a remark and in particular the sentiments behind such a remark, because it does no good whatsoever to the fabric of our society.

This bill is very much about striving for integration. It is very much about striving to ensure that the fabric of our society is rich, enduring and one that can accommodate all of us, irrespective of our faith, our ethnicity and many other things that we might hold dear to us. But it is important that there is a unifying factor, and citizenship in this country ought to be that unifying factor.

The bill enshrines certain basic tenets of the government’s citizenship policy, and I very much commend them. I very much think that they are in the national interest. I very much think that the overwhelming number of Australians would subscribe to them. The first is that citizenship is not a right for those who seek it who come from other countries. Indeed, it is a privilege. As someone in this parliament who was an applicant for Australian citizenship, I consider it to be a very deep privilege to be a citizen of this country. When Australians do not value the fact that they come from this country, that they come from the greatest country on the face of the planet, I think there is something very wrong there. This country has been blessed in so many ways and we should consider it to be very much a privilege to be a citizen.

One of the other tenets that should be very much in focus in all of this debate is that citizenship should be conducted in a non-discriminatory way, it should be inclusive in fashion, it should be non-compulsory and, of course, critically, it should represent a formal commitment to this country and what it embraces and stands for. Some people, such as Dr Ameer Ali, think that they come from a Muslim country. Of course, I reject that absolutely, but I will certainly tell him what sort of country he does come from. He comes from a democratic country. He comes from an egalitarian country. He comes from a classless country. He comes from a parliamentary country. He comes from a constitutional country. He comes from a country that embraces its history, and it is a country that is very much one of entrepreneurialism and innovation.

I think all Australians would be very proud to be citizens of this country. But it is not a Muslim country, it is not a Buddhist country and it is not a Hindu country—and let us make that very clear to all those who seek to be citizens of this country. Of course, it is Judaeo-Christian—very much so, because of a fact of history and of circumstances. That is just a fact that cannot be disputed. For those who say that they come from a Muslim country, a Buddhist country or a Hindu country, I think they should very much question how they view their particular place in this society.

We are Australian. We are not Greek, we are not Italian, we are not Vietnamese, we are not Chinese, we are not Arabic and we are not Korean or, for that matter, Japanese, Irish or from any other country. We are Australian, and that should be at the forefront of our thinking about how we want to approach all that we do in this country to make it a much better country.

This is a very important bill and I want to touch on some of its key points. In recent years we thought that the old legislation had failed to adapt to the increase in population mobility,
and this current legislation will see to that. I touch on the fact that a person can gain permanent residency and then spend no time in Australia and still be granted citizenship, so long as they can show their activities overseas to be of benefit to Australia. Yet another applicant may have spent years in Australia prior to gaining permanent residency, immersing themselves in the Australian way of life but still not satisfying the residency requirement. So that oddity is going to be addressed.

The new requirements also recognise the changes in the migration program over the years, changes which have resulted in an increasing number of people spending significant periods of time in Australia as temporary residents prior to becoming permanent residents. I want to stress the changes will not affect current permanent residents. People will only be required to meet the current two-year residential qualifying period providing they apply for citizenship within three years of the commencement of this act.

As I alluded to earlier, at the heart of this act is a residency requirement. The bill increases the residency requirement for applications for citizenship from two in the five years immediately preceding the application to three in the five years. The new amendments to be introduced in the parliament follow this debate. However, it will alter these requirements to a minimum of four years of lawful residence in Australia immediately prior to making an application for citizenship, including at least 12 months as a permanent resident. Absences from Australia of up to 12 months during the four-year period will be allowed, with no more than three months in the year before they apply.

These strengthened residency provisions will give migrants and applicants for citizenship more time to really be part of the Australian way of life and to associate themselves deeply with the values that we consider very much the essence of this country. Of course, it will allow opportunity for the government and its relevant agencies to undertake the necessary security checks that should be taken.

I do not see why this should be an issue at all. If people come from another country and seek to be part of the Australian community, irrespective of where they come from, I think it is entirely appropriate that the government of this country and its relevant agencies focus on their backgrounds to see that they are the kinds of people that the rest of us in this country should welcome. There is no problem with that at all, as far as I can see—provided that it is done in a proper and professional manner, that it is done in an indiscriminate fashion and that it is applicable to everyone who falls in that category.

It is also important to remember—and I am sure that my constituents will be very keen to know—that these provisions are not out of step with countries such as the UK and the US. For instance, in the UK, they require five years of lawful residency with no more than 450 days absence during that time, while the United States legislation requires five years of permanent residency with absences of only up to six months each year. So it is not at all incompatible with those two countries and the emphasis they place on citizenship.

The bill will introduce changes to the requirements of citizenship by descent, including removing the age limit by which a child of an Australian citizen must be registered, a provision of citizenship by descent for children whose parents have lost their citizenship and a provision of citizenship by conferral for children who were born after their parents had lost their citizenship. These changes ensure Australia’s citizenship laws abide by the blanket policy that
citizenship by descent should be applied when a child is born to a parent who is an Australian citizen.

Removing the age limit is a continuation of a previous legislative amendment which saw the limit in the legislation increase from one year after birth to 18 years in 1984 and to 25 years by the Howard government in 2002. This measure will provide relief for those people with an Australian parent at the time of birth who previously were above the age of registration, and it will remove the situation where the child was effectively punished and denied Australian heritage because of an omission by their parents, many of whom were not aware of the legislative requirements. So it will ensure that no child of an Australian parent is denied their ability to consider themselves an Australian, which of course I am sure that the overwhelming number would like to do.

An important point that this bill addresses is to enshrine equality in spousal provisions. The spouse of an Australian citizen will have to meet all the same criteria as other adult applicants. Spouses will also be able to have time overseas counted as time off for the residency requirement, as long as they can show a close and continuing association with Australia during that time. I think these provisions are long overdue and they do represent the fundamental ideal that each individual is a citizen in their own right and therefore each individual applicant for citizenship should meet the required standards, as opposed to relying on a spouse’s citizenship. It will ensure a spouse, along with all other applicants, has to undergo the ASIO security check.

Let me touch on that, because that is one of the key aspects of this bill. Provisions will prevent the approval of a citizenship application when there is an adverse or qualified ASIO security assessment that the applicant is directly or indirectly considered a security risk to this country, as defined by the ASIO Act 1979. All new citizenship applications, including citizenship by descent, conferral and resumption, will have to undergo the ASIO check. I think we owe it to our national security considerations that this is done across the board. Of course, that is the critical aspect—that no-one is singled out. Irrespective of where they come from, all will be treated equally and will undergo full checks by the relevant government agency.

I want to end my remarks by saying that those of us who have had the privilege to be able to apply for and be granted citizenship of this country are fortunate indeed. As at 30 June 2004 some 4.8 million of Australia’s population were born overseas—so some one in four Australians were not born in this country. The number of people born overseas in the 2001 census was 4.1 million, compared with 3.9 million in the 1996 census and 3.6-plus million in the 1991 census. Since the Australian Citizenship Act was passed in 1949, more than three million people born overseas have acquired citizenship. I certainly put my hand up as one of those three-plus million people who, since 1949, have applied for and were granted citizenship of this great country—and I now have the great privilege to be here in the national parliament of this country to represent my fellow Australians.

I should say that in Ryan—because I know that many of my constituents will be pleased to know this—some 34,000 people were born overseas, which represents just over a quarter of the total population of Ryan, and almost 7½ thousand, or just under six per cent of Ryan’s population, have been a resident for less than five years. I would encourage the residents of Ryan who are not quite yet citizens of our country to very much consider applying for citizenship, because it is a great privilege. Indeed, I will be conducting a citizenship ceremony on 11
November—Remembrance Day—and I have been informed that some 60 residents of the Ryan community at large will join the Australian family and become citizens of our great country. I look forward very much to welcoming them into the Australian community as citizens of our country and to encourage them to do their bit to strengthen all that is great in our country. We are a very proud democracy. Over 100-plus nations in the world today are members of the democratic family, and as one of the leading nations in the democratic family we want to continue to ensure that this country remains rich and prosperous in every fashion.

Mr MARTIN FERGUSON (Batman) (5.34 pm)—I welcome the opportunity to contribute to this debate on the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitions and Consequentials) Bill 2005. I say that because I believe that since 1948 a formal system of Australian citizenship has served our nation well. I also want to deal with some of the history, because I think we should be very careful at the moment. If this debate goes wrong, as I fear it is going to, and migration becomes a political issue yet again, for short-term political gain, then Australia as a nation will be the short-term, medium-term and long-term loser.

As we would all appreciate, it was in 1948 that the then Labor Prime Minister, Ben Chifley, legislated a brave, forward-looking response to the economic challenges that faced our nation in the postwar era. I think it is important that we place some of this on the record. Postwar reconstruction demanded that we as a nation increase our immigration to grow our population and our economy. In doing so, immigration proved a resounding success. But, looking back on more than 55 years of citizenship, immigration has given us much more than a labour force and a bigger population. Migrants, be they Greek, Italian, Vietnamese or Somali, have made Australia the open, vibrant society that exists today. Migrants offer us a range of important experiences, values and traditions.

As a member of parliament representing a prominent multicultural community in the electorate of Batman, I have taken great pleasure in attending all but two citizenship ceremonies in the City of Darebin in the decade since I was elected, in March 1996. I do that because I think it is not an insignificant decision to take out Australian citizenship, to actually make that public declaration of support for Australia as a nation. I congratulate each and every one of those people who have taken out citizenship. I encourage others who have not taken up the opportunity to become Australian citizens to do so in the foreseeable future. It is interesting to note that the records show that those who fail to take up that opportunity tend to predominantly come from the United Kingdom and New Zealand. Others value it and grab it at the first opportunity.

On Australia Day last year a record was set, with 12,000 people pledging their commitment to Australia in 275 ceremonies across the country. This year a new record was set, with 14,000 people becoming Australian citizens by pledging their commitment publicly to our nation. New citizens understand that when they take up Australian citizenship we do not require them to forget their country of origin or to forget their traditions and culture. That is why immigration in Australia has been so successful. Not only have we welcomed people and encouraged them to embrace Australian citizenship but also we have clearly accepted publicly that we do not expect them to walk away from the traditions and cultures of the country from which they came. I am proud to say publicly that that is because Australia is not a closed, xenophobic nation.
Each citizenship ceremony presents us with an opportunity to take pride in Australia, our way of life and our democratic, tolerant society which welcomes with open arms people from all over the world. The nature of the program has changed over the last 50 years. Initially people came from war-torn Europe, then from Asia and, more recently, from important places such as Africa and the Middle East.

On that note, can I say that Australia has been criticised over recent years because of the way the Howard government has treated asylum seekers. I simply say that the debate has always been about the integrity of the system. It is about making sure that anyone who applies for formal citizenship of Australia is given an equal go at having the merits of that application properly considered in an independent process which is highly honest in its decision making. I simply say in response to the government’s actions, which were for political reasons, that a Labor government would show compassion for these people whilst maintaining the integrity of the system. I think it is very important for the other side of the House to start considering that at the moment.

As far as I am concerned, it is not just migrants who need to understand and appreciate Australian values, culture and traditions but all Australians. We need more Australian studies in our schools and more appreciation of the history of our Indigenous peoples. Those of us who were born in Australia need to give serious thought to the value attached to Australian citizenship. It is very important that the government continues to promote the value of citizenship. It should be regarded as being of value not only by those who come to Australia and want to become Australian citizens but also by all of us who are fortunate enough to be born in this lucky country.

I am simply proud to be an Australian. I am very proud of the fact that Australia has one of the most highly successful managed immigration programs in the world—something that other countries aspire to. Clearly at the core of that success is the issue of citizenship and our willingness to grant citizenship to people seeking to come to Australia. But, in doing so, we must never forget that citizenship not only gives us rights but also gives us obligations. When a person becomes an Australian citizen, they actually accept those obligations.

Just as Australians have wholeheartedly embraced the history, cultures and traditions of our societies, I believe that migrants desire—and they should be encouraged—to learn about Australian history and the Australian way of life of so-called Australians. Having said that, I simply say in response to the government’s discussion paper on citizenship: I cannot see how a so-called test for people seeking to take out our citizenship can increase their understanding of our history and traditions. The discussion paper refers to the following types of questions: in the United States, what is the colour of the American flag; in Canada, how many constituencies make up the federal parliament; alternatively, in the United Kingdom, where does the jury system operate in the court system of the United Kingdom? What a range of questions to determine whether or not people can become citizens of those countries! Let us be frank about this debate. If you want a discussion about the values and history of Australia, then it should apply to all of us. To imply that we should now have those so-called questions in a test to determine whether or not you can be an Australian citizen is just plain wrong. It takes the eye off the main game in terms of how we maintain the integrity of a system that works out properly, at the first point, whether or not people are potentially a danger to Australian society.
I think this is actually borne out by our success. We have diversity in values that we all accept. We also have people who actually want to take out Australian citizenship as soon as possible. But just think about one of those countries that we now refer to in respect of a test of citizenship. Let us go to some statistics. In Australia, one in four Australians were born overseas, which is much higher than many comparable countries. For example, in the United States, the ratio is one in 10 were born overseas. We have succeeded because we have done the right thing by those people who want to settle in Australia and make a contribution to it.

I only have to walk down High Street in Preston, in my electorate, to see the embodiment of a truly multicultural society. In my local community there are people from more than 120 different ethnic backgrounds. There are those who came here 50 years ago and those who came here only a matter of weeks ago seeking refugee settlement. Australia’s living history shows a long commitment to multicultural values through its strong migration program. In Victoria, where I come from, almost a quarter of the population were born overseas in one of 233 countries. And we want to make it harder for people to become Australian citizens! There are more than 180 languages and dialects and 116 religious faiths. A significant number of these people were refugees—initially from Europe after the Second World War and more recently from the former Yugoslavia, Africa, the Middle East, Afghanistan and Somalia. Many of those Somalian immigrants reside in my electorate before they move to the north, more often than not, to the electorate of Scullin for permanent settlement because of the opportunity to buy a house there. Houses are cheaper in Scullin than in Batman.

These immigrants make an invaluable contribution to the Australian way of life and underpin our open-minded ethos and Australian values which we are all proud of and grateful for. This bill helps to improve the situation of migrants affected under old laws, such as those prohibiting dual citizenship. For this reason, I welcome some of the changes in this bill to improve opportunities for those who aspire to Australian citizenship. However, I wish to also point to several gaps in the legislation that need to be closed. These changes allow former citizens to resume their citizenship with only one condition attached—that they be of good character. They also provide the opportunity for former Australian citizens who lost their citizenship under the former section 17 to apply for citizenship by conferral.

However, I would like to qualify my support with a call to include those seeking citizenship under former section 18. There remain a large number of children of Maltese immigrants who are unable to seek Australian citizenship because their parents had to renounce their Australian citizenship on return to Malta. Labor is seeking an amendment to section 21 of the bill to allow children of the former Australian citizens covered under former section 18 the right to apply for citizenship by conferral. There are around 3,000 Maltese children who do not have a right to Australian citizenship. However, the children of Australian citizens who renounced their citizenship under section 17 because, for example, they were working overseas, do have the right to seek citizenship. This is an inequitable situation which must be addressed. Children under section 17 and 18 should be given equal opportunity to bid for their citizenship. While I welcome many of the changes included in this bill, I urge the government to consider this amendment.

The other change that I wish to speak about is to permanent residency. The government indicated in 2005 it would increase the term of permanent residency before granting citizenship from two to three years. However, due to delays in the bill being debated this amendment has
been revised and today the government is clearly seeking to increase the term from two to four years. This is in line with a proposal within the government’s recently announced citizenship discussion paper. At the time the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs justified the extension from two to three years as necessary to contain the home-grown terrorist threat. That was the nature of the proposed amendment. At that time the then citizenship minister said that the longer migrants spent in Australian society before gaining citizenship, the less vulnerable they were to falling in with extreme groups.

I indicate that the opposition accepts the extension of the term of residency from two to three years, but I also indicate that I personally am opposed to that. I can see no reason why you do not work out at the character test whether these people are a danger to Australian society. It is your responsibility to do it then and there. There is no reason to increase it from two to three years, and there is no reason to now go from three to four years. This is just not justifiable. If the government were doing its job then it would have weeded out any problems in the initial character tests. The problems that exist in Australia, which are an absolute minority of difficulties, reflect on the government’s past failure.

I also go to the fact that in its discussion paper the government has not outlined any reasons for increasing the term, particularly on the back of such a recent proposal to go from two to three years. Effectively, what the Howard government wants to do is double the term within just four years without any justification. How does it justify this, looking back on the year of 2005—a year marked by significant environmental and social issues? It was a year that commenced in the tragic aftermath of the tsunami of 26 December, 2004. It saw Hurricane Katrina devastate New Orleans in Louisiana. The world remembered the 60th anniversary of Hiroshima. The 1.3 billionth Chinese citizen was born. Pope John Paul II died, and Britain released its commission for Africa. In America, Condoleezza Rice became the Secretary of State. Suicide bombers killed 55 people on London’s commuter system. An Australian citizen, Mr Van, was hung for trying to smuggle heroin into Singapore, and here in Australia global condemnation was received for the race riots that broke out in Sydney, bringing an end to an eventful 2005.

Obviously it was an eventful year marked by many significant milestones, achievements and tragedies, but it was nothing like the year of 2001, when the US terrorist attacks changed the world as we knew it. It was on the back of the world’s response to these attacks that the changes to the Australian citizenship bills were initially introduced, changing the term of residency from two to three years. That is wrong. It is not justified, and today the proposal to go to four years is even more unjustified.

In my speech this evening I also stated that the debate on Australian citizenship had been a long one. Yet these changes to the term of residency proposed by the government are significant changes imposed suddenly and without justification or rationale. This is not to say that, in seeking to understand the government’s reasoning for this increase in the permanent residency term, the opposition does not understand that compared with other countries we are generous in seeking to encourage people to take out citizenship. We think they should.

Obviously it is about understanding Australian values, but it is also about getting the character test right at the first point—not now trying to suggest that, by delaying when you can actually take out citizenship in Australia, you have a greater opportunity to weed out terrorists because they have a greater understanding of the Australian way of life and values. To put it
bluntly, that is crap. It is about time we had a proper debate about where migration is going in Australia and stopped using it as a political football for short-term political reasons, which this government has done all too often over the last 10 years.

This brings me to the English language test. All the migrants I speak to—those who are now retired, those who have been here for a fair period of time and the new arrivals—say they have one desire in life: to get the skills to get a job in Australia. If you want to do something about English language training and numeracy in Australia, you should make it part of the operation of the Job Network, because it is there that they should get the skills which are part and parcel of getting them a job sooner rather than later. Many of the migrants that actually built Australia in the postwar period learned functional English on the job. It is now, in retirement, that they have a greater opportunity to go and engage in English language classes so they can communicate with and better understand their grandchildren. Their desire in the first instance was always to concentrate on creating economic opportunities for their family by getting a job. I would have thought that is where we should be attaching any additional resources in terms of the debate on English language.

Since 1996, the government have cut almost $11 million in English language opportunities for migrants in Australia. They are to be condemned, yet they now suggest we have a new test on the English language too. I can see the minister for migration, the parliamentary secretary for citizenship and the Prime Minister frequently attending a range of ceremonies around Australia that are well attended by migrants. The truth is that a lot of those people, and especially their parents, would fail the so-called English language test that the Prime Minister now wants to put in place.

I raise these issues because they are serious. This is why there is a divergence of views between the government and the opposition on some of the citizenship issues that are currently being debated. But I simply want to say it is also wrong to increase the period of permanent residency from two to three or four years retrospectively. These people have sought to take out citizenship on the basis of rules that existed. We do not do it on taxation, because it is wrong, so why should we do it on citizenship?

This bill as it currently stands ignores the plight of permanent residents hoping to get their citizenship status approved within the immediate future. This has implications for people who have been planning further studies, as those without humanitarian visas cannot access FEE-HELP from the government, and also for people hoping to obtain permanent residency over the next few months, as they will have to wait a year before becoming eligible. I do not consider this fair. Is this the Australian way—raise people’s expectations and then fail them because a new, retrospective bill is passed? The definition of citizenship is elusive because it encompasses so much that is intangible, but surely the government’s rationale for changing such an important bill should not be elusive. I stand alongside my colleagues in supporting the amendment but oppose an increase of permanent residency from two to four years and simply say in my personal view that there is no justification even for going to three years.

That aside, there are changes in the bill that the opposition and I support. Citizenship has served Australia well. The last thing we need now is a politically motivated debate about citizenship and migration in the lead-up to yet another election. Let us have a debate that really counts about issues such as industrial relations and climate change and questions of taxation and welfare reform, rather than demonising migration for short-term political gain just to try
to best position oneself to occupy the Treasury benches of government. The community has had a gutful, and it is about time all members of the House lived up to the expectations of the Australian community, which values respect of Australian citizenship.

The DEPUTY SPEAKER (Hon. DJC Kerr)—I thank the honourable member. He certainly has managed to pass the plain English test through that contribution.

Mr SLIPPER (Fisher) (5.55 pm)—Mr Deputy Speaker, were you suggesting the emphasis was on plain English or was it a plain contribution? In any event, while I certainly do not doubt the sincerity of the honourable member opposite who just spoke, I disagree strongly with much of what he said. I think it would be broadly held in the Australian community and in the Australian parliament that citizenship has been a success in Australia since the creation of the notion of Australian citizenship in 1949. I suspect that where the opposition and the government would differ would be more on the detail of what citizenship is supposed to entail, rather than on the importance of the concept of Australian citizenship.

The Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005 represent significant changes to Australian citizenship. Australian citizenship is a system that has served us well for over half a century. The Australian Citizenship Act 1948 has proudly served Australia, determining who could become citizens— and, for that matter, who could not become citizens—for almost 60 years.

The Australian Citizenship Bill 2005 does not propose a complete rewriting of the act but will usher in an entirely new act. There are many proposed changes and the government is of the view that, given the substance of those changes, it is important to produce a new act rather than simply to have a bandaid approach. The new act will be more accessible, it will be better numbered, it will be easier to understand and hopefully it will be more logically organised. It also brings in a number of changes that were proposed following recommendations from the Australian Citizenship Council in 2000 and following government policy reviews in 2004.

I think most members of parliament are honoured to attend citizenship ceremonies around the country. I suspect that those ceremonies may change in flavour depending on where you are. The sorts of people and the origin of those people who become citizens would vary according to the part of Australia in which one resides, but those citizenship ceremonies have certain common elements when people accept rights to fully participate in Australian society. Of course, accompanying those new rights are responsibilities.

Unfortunately, in Australia today I think there is far too much emphasis on rights—what my rights or your rights are—and there is not an adequate emphasis on the accompanying responsibilities with those rights. They go hand in hand and it really is important that people who do become Australian citizens acquire the responsibilities of Australian citizenship in addition to the various rights that attach to the concept of Australian citizenship.

Most citizenship ceremonies appear to be conducted by local authority heads of councils—in most cases, mayors—and I must say that I have been fortunate to preside over a number of citizenship ceremonies in my capacity as the member for Fisher. Whether ceremonies have large numbers of new citizens or only one or two, they are very moving. It really is interesting to see just what this important step means to people, some of whom have been here for a short time, and others who have been here almost since the concept of Australian citizenship commenced.
The Australian Citizenship Bill 2005 and the Australian Citizenship (Transitions and Consequentials) Bill 2005 do propose numbers of important changes to Australia’s citizenship guidelines—for example, those citizens who inadvertently renounced their citizenship by applying for additional citizenship of another country may be able to restore their Australian citizenship, and children who lost their citizenship under this condition may now be able to qualify for citizenship. The age limits for applying for citizenship by descent will be removed and the definitions for spouses will now include genuine de facto partners.

Other alterations include the capacity for citizenship to be revoked in cases where it was acquired through fraudulent means. There is an increase in the provisions to block and revoke the granting of citizenship, especially cases that involve an applicant committing serious offences, where applicants are assessed by ASIO to be a security risk and where they are involved in court matters.

There has been substantial discussion in the community over certain of the remarks by Sheikh al-Hilali in recent times. My understanding is that under our act as it currently stands there is no provision to strip citizenship from people who no longer espouse Australian values. I consider if that is not in the act—and I understand that it is not—then that certainly ought to be included in the act because we have lots of people from around the world who want to join our Australian family. It is important that we only have those people who are prepared to represent the essence of what is Australian and the essence of Australian values.

In the bills before the chamber there will also be provisions to grant citizenship to those who are born in Papua New Guinea while that country was a territory of Australia, where those people had at least one parent born in Australia. In addition, those children of Australian citizens who were born outside Australia will have greater abilities to be registered as citizens by descent. In 1949 it was required that these children be registered within one year of birth. This was increased to 18 years and then changed again to 25 years in 2002.

However, surprisingly there are some residents who have missed out on becoming citizens by descent simply because they and their parents were unaware of the time limits for registration and the Australian Citizenship Bill 2005 and the Australian Citizenship (Transnationals and Consequential) Bill 2005 will remove the time limits altogether. This is a very equitable measure and it reflects accurately the notion that children who have a very significant tie to Australia should not be denied something as significant as Australian citizenship simply due to a lack of knowledge of the requirements and guidelines.

The bills also lengthen the time frame between when new citizens arrive in Australia and the date when they become eligible to apply for citizenship. Historically under Australian law, Commonwealth citizens I think had to wait two years and those who were rather quaintly deemed to be aliens had to wait five years. For various reasons, I suppose, of feeling that there was a need to treat Commonwealth and non-Commonwealth citizens the same, everyone was required to be here for only two years as opposed to the previous situation. Personally I consider that to be here for fewer than 800 days indicates that we are really dumbing down Australian citizenship. We are essentially giving it away. I think the two-year requirement as it currently stands is woefully inadequate and that the step to increase the two years to four years is certainly a step in the right direction, but I would personally increase it to five years. Five years is, I understand, the period one has to wait for citizenship in the United States of America and also in the United Kingdom. A period of four years—five years as I said would
be better but four years is certainly a step in the right direction—is regarded as a more suitable period in which prospective citizens are able to become familiar—

Mr Jenkins interjecting—

The DEPUTY SPEAKER (Hon. DJC Kerr)—The member for Scullin will restrain himself.

Mr SLIPPER—It is always good to see the honourable member for Scullin being compelled to restrain himself. I suppose the parliament would be even better off were that to happen on a greater number of occasions. But I do thank you, Mr Deputy Speaker, for your discipline of the Labor member for Scullin, who, despite his occasional lack of self-control, is really a very pleasant person.

Ms Owens—Sometimes it is hard to control your nerves.

Mr SLIPPER—I listen to what the Labor Party member says, but in the good-natured sense in which this debate is taking place. I am pleased to see that the member for Scullin is going to be making a contribution following me. The time frame—and I referred to the four-year time frame—which citizens will now have to wait before becoming eligible for Australian citizenship will give them a greater opportunity to become more familiar with our way of life. They will be able to understand better the essence of being Australian. They will also fully learn the commitment that citizenship is. I consider that these bills reflect changes to Australian society and they also make sure that those people who are privileged to become Australian citizens will have been here for an adequate period to acquire the knowledge of Australia necessary to fully participate in Australian society.

I am pleased, though, that there is no retrospectivity—despite what the member for Batman said before—in this legislation and that those who are permanent residents in Australia now will not be caught by the new requirements. They will be able to obtain their Australian citizenship following the traditional two-year period, provided they apply for citizenship within a period of, I think, three years of the commencement of the bill. The Australian Citizenship Act has served Australia well and the new act is more than capable of taking its place.

I want to commend the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs for his paper calling for submissions from the Australian community on matters surrounding this area. I believe an English language test is very important. There is an undeniable connection between being able to read and write—and, for that matter, count—and being able to get a job. Having large numbers of migrants who have been here for many years not actually being able to speak English is not a healthy sign. It means that they are excluded from some elements of participation in Australian society. If we could ever acquire a situation where everyone could speak English, then I think that would be a very positive step.

I, of course, would encourage people to not lose the language of their birth, their mother tongue, but it really is important that they should speak English. I think it is important, given the fact that we have huge numbers of people who want to come to Australia, to have them learn English before they come here rather than to be a drain on the resources of the Australian taxpayer and learn English once they actually are here. Having said that, of course, those residents who do not currently speak English obviously ought to have access to a range of facilities to enable them to obtain an appropriate level of English language competency. I commend the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals
and Consequentials) Bill 2005 to the House. I invite the member for Scullin to speak, and I hope that he can maintain self-control.

The DEPUTY SPEAKER (Hon. DJC Kerr)—The member for Scullin’s enthusiasm knows no bounds, and I call him.

Mr JENKINS (Scullin) (6.07 pm)—I regret that the opportunity that arises from the discussion of the Australian Citizenship Bill 2005 and the accompanying Australian Citizenship (Transitionals and Consequentials) Bill 2005 is not purely an opportunity to express our joy about the success of Australian citizenship since it was first implemented in 1948 and came into force in January 1949.

As an elected public official, both at local government and at federal level, for the past 27 years I have attended numerous—in fact, hundreds—of Australian citizenship ceremonies and have literally seen thousands of people take the step of becoming an Australian citizen. For somebody who was born an Australian citizen, it always amazes me to put myself in the place of those who are coming forward to adopt a new citizenship. Overwhelmingly, those people do so with great pride. Overwhelmingly, people who come forward to become Australian citizens at those ceremonies are clearly doing so because they want to, they understand the value, and they understand the values.

So this piece of legislation, in its simple form, should have been a celebration of that. And if, in fact, this piece of legislation were merely based on those propositions that were put forward in July 2004, after a proper process, that celebration would have been possible. But what we have seen since July 2004 were, of course, events that occurred in Britain that led to a COAG meeting whose purpose was to investigate the events of bombings in London and what could be learnt from those events.

It was decided by that heads of government meeting that, as a measure that in some way was supposedly part of a security package that dealt with measures for antiterrorism, the waiting period for citizenship should be changed from two to three years. At the time, because it was part of a package, perhaps there was not the debate that should have gone on about that measure. I have failed to find any great explanation as to how this was such an earth-shattering security measure.

If we go through the history of Australian citizenship—and an act that since 1948 has been amended on 36 occasions—we have seen a number of changes to the residency requirement. It went from five years to three years. Then, in 1973, the residency requirement was set at two years for both aliens and British subjects. Now we find, after 33 years, that we are to see it increased. But, even worse, since that September agreement at a COAG meeting of the heads of government of the states and territories and of the federal government, which decided that going from two to three years was a good idea, someone in this government has plucked out the figure of four years.

So, after we processed this bill in its original form when it came here 12 months ago, now there are a series of government amendments, one of which is that the three years will become four years. Where is the explanation? What is this about? Sadly, I have to agree with my southern neighbour, the member for Batman, that this is all about demonisation, fear, smoke-screens and dog whistles—the whole kit and caboodle. In the absence of an explanation about
how there is suddenly a reason for the increase from two to three to four years, I think that, quite rightly, we can suggest this is all about politics rather than good policy.

I will give the member for Fisher his due. Even though he thinks four years is not long enough and he wants five, at least, in his own way, he was willing to come into the chamber and try to justify it. Even if I disagree with him and even if I was disappointed in his contribution from the outset, he said that he disagreed with what the member for Batman had said and would explain why, though he did not get around to it. I am here for the debate, so I want to find out what the reasons are.

I was a bit thrown when I listened to the member for Mitchell’s contribution, which started the debate off in the main chamber. He was talking about the pledge and the oath of allegiance. I suddenly thought I had missed something very important. According to the member for Mitchell, we should roll it back because it is not good enough—it does not renounce all other allegiances; it does not follow the American model. So I have had to really study the bill in detail. I got to schedule 1, and I am really pleased that in 1993 we changed to this pledge and that it remains in this piece of legislation. I checked the explanatory memorandum to make sure that I had not got the wrong end of the argument, and it says that the schedule is equivalent to schedule 2 of the old act.

I have to tell you that, when people come forward to become Australian citizens and they indicate, whether it is under God or not, ‘From this time forward, I pledge my loyalty to Australia and its people,’ I am honoured that they actually do it, because not only are they pledging their loyalty to Australia but they also recognise that Australia is a beast made up of people and communities—and they are pledging their loyalty to the whole thing. They go on to say in the pledge, ‘whose democratic beliefs I share, whose rights and liberties I respect, and whose laws I will uphold and obey.’ I think that is a very good pledge.

There is another aspect of this debate that is really disappointing. I might disagree with the intent of the parliamentary secretary’s discussion paper on formal citizenship tests, but at least he has gone out into the marketplace and has produced a paper which makes very interesting reading—and I will not go over the matters that the member for Batman raised. I was very pleased to be in Indonesia representing the parliament on a parliamentary delegation when this was dropped. I did interviews with my local media about this and, regrettably, one of the flippant remarks that I made about Australia’s citizenry at the moment was that I thought that perhaps there would be 20 million people who would fail a test like the ones that are suggested here in the discussion paper. That flippant remark actually got into one of the papers. But there was a serious tone to it.

An opportunity has been given to us by the parliamentary secretary to discuss these matters—and that is fair enough. I might disagree on where he thinks we should go, but at least we are going to have a bit of a discussion about it. But when the announcement was made about the increase to four years at the same time that he released the discussion paper, why weren’t those matters included? Why don’t we have some sort of argument about those matters? Why don’t we have the government telling us why that is important?

We had a second reading speech on the original bill a year or so ago and we have now finally got around to the debate, and we have the notion of four-year residency and we have a series of amendments. I do not want to be pedantic and really upset the member for Fisher, but the bill that we are debating does have retrospectivity in it—but that is fixed up by the
government amendments. So down the track we will get it all sorted out. That is what has gone on. At least some of the things that the opposition said at the time that this was first put on the Notice Paper and the second reading was moved have been listened to.

Regrettably, I am absolutely opposed to the notion that this increase to four years should go through, because there is just absolutely no reason given for the increase to four years. In fact, it may as well be five years, as suggested by the member for Fisher. We have to decide what the problem has been over the period when the residency requirement has been two years. What has this led to? Has it led to a disintegration of the Australian way of life? Has it led to migrants not continuing to make a contribution to the way in which Australia develops? There is just no evidence of it. What were the arguments that suggested to us that changing it from two years to three years was an appropriate measure for security reasons? What difference would it have made to the people who were recruited as the bombers in London—they were basically second-generation migrants—if their parents had had to wait a year more to get citizenship? Would that in some way have cured the problem? I just do not see it.

At the end of the day I represent an electorate where 32.9 per cent of the population was born overseas, compared to the Australian average of 21 per cent. At the last census, people not fluent in English represented 7.1 per cent. If the argument about fluency in English is an argument about what resources the federal government will apply to communities where that is a problem and bring those people up to a certain level, I am on the side of those proponents. But if in fact it is merely about saying to a wider audience which perhaps has not been exposed to the success of Australia’s diversity, to the potential of Australia’s diversity, that in some way a person’s value to the Australian society should be based on their English proficiency then I am against it.

If we look at the rate of citizenship uptake in Scullin, it stands at 90 per cent. I am informed that the national average is 88 per cent. So what we have is 10 per cent of the 33 per cent not actually taking it up, compared to 12 per cent of the average 22 per cent. So here, in a highly migrant population, there is a greater take-up because people are proud to become Australian citizens. I often bore people with the story of my constituent Sheikh Feimi, who is the most senior Islamic religious figure in Victoria. He probably would not describe himself as the leader, but it is a fact. As the leader at Preston mosque, and given the length of time he has been in Australia, he is a senior figure in Victoria. I always remember the story that he told me about his two sons—who are adults—about the way in which they played football for Thomastown, a suburb in my electorate. He said to me, ‘Football, you understand—not that soccer thing, but Australian football.’ I thought it was a reflection on how this man, a senior figure, who dresses as an Islamic leader and teacher, really relates to his neighbourhood and reflects upon those things that are of interest to his neighbourhood.

Many source countries make up the multicultural mix in Scullin. The larger communities are predominantly the southern Europeans. But we have seen, since the census, new arrivals from Sudan, Burundi, Sierra Leone and Liberia. And those people slowly but surely become part of the mainstream, part of the people that we do not even think of as different, even though they present in a diverse fashion.

During last week there was a refugee function sponsored by the local community, held at the Epping campus of northern metro TAFE. One of the really exciting things was the way in which, as all the different dancing groups got up, those parts of diverse cultures were shared
by others—the Syrian dancers, for example, and the Macedonian dancers. People got up and 
joined them. When the Kurdish women were dancing, the first people to come from out of the 
crowd were women from the Horn of Africa. And then the whole crowd was up—Asians, An-
glos, the whole crowd. This is the strength of the community that I represent. Even though 
people hold dearly to their original cultures, in the way in which they share it with their fellow 
Australians they are defining the Australia of the 21st century. Their belief in going forward 
after whatever requirement we end up with in this piece of legislation at the end of this proc-
есс means that they will go forward to proudly become Australian citizens.

For the people who wait the 40 years to come forward, that is their decision. And they are 
conscious in coming forward. At any of the citizenship ceremonies that I attend, there will be 
people who have been here for many years who have made a conscious decision. Do not tell 
me that they do not understand why they are coming forward to become Australian citizens. 
Instead of this debate being about celebrating the way in which we have made the 1948 act— 
as amended on 36 occasions—a modern piece of legislation and a celebration of Australian 
citizenship, there is this dithering. The COAG meeting made this decision to insert this into 
this act on top of those things indicated in July 2004. It has dragged out so that here, in late 
October and early November 2006, we will debate this legislation. What was the magic about 
increasing it from two to three years, when in the last 12 months—somehow, and without re-
fering it back to a COAG meeting—it was increased to four years? I suppose when we get to 
the consideration in detail stage the new parliamentary secretary will explain his amendments 
to us. But I will not really hold my breath, because I would have thought that he would have 
already done it in the public domain. These are serious matters, where we should not have the 
dissension.

I am pleased that the matters relating to the Maltese community et al will be fixed up. I 
hope that the government will look at those matters highlighted in part 3 of our second read-
ing amendment, which go to discrimination against some of the children of these people. That 
is an anomaly that I am sure the government did not intend and will fix. However, if we are 
going to have a debate about citizenship, let us not in some way demonise the acts of mi-
grants. Regrettably that is one connotation you could take on the purpose of this piece of leg-
islation, proposed to be amended in the consideration in detail stage.

Mrs GASH (Gilmore) (6.27 pm)—In rising to speak to the Australian Citizenship Bill 
2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005 I am re-
minded of the words of Theodore Roosevelt, the 26th President of the United States, who 
said:
The first requisite of a good citizen in this republic of ours is that he should be able and willing to pull 
his weight.
The telling point of Roosevelt’s observation is that conferring citizenship on someone carries 
with it not only access to its benefits but also mutual obligations on the part of the individual. It 
seems to me that the notion of citizenship has had its meaning and purpose diluted over 
many years, and its benefits have come to be regarded as some sort of right rather than a 
privilege.

Citizenship has become a watered down, bureaucratic tool rather than an acceptance of a 
set of values that one embraces meaningfully and spiritually—in other words, to someone 
who comes to this country wanting the benefits Australia offers without any sense of contrib-
uting or committing to the very ideals that obviously drew them here, citizenship is just a boring ritual. We do not deserve this type of pseudocitizen. As a ‘new Australian’ myself, I feel I am sufficiently qualified to comment on aspects of this bill that deal with what it means to be a citizen of Australia.

Australian citizenship is a serious matter and all citizens need to be aware of the enormous responsibility we need to take to ensure that the spirit of this country remains positive, free thinking and tolerant. Australian citizenship represents formal membership of the community of the Commonwealth of Australia. Australian citizenship is a common bond, involving reciprocal rights and obligations uniting all Australians while respecting their diversity. Australia is one of the few countries in the world where you can speak your mind. In fact, our system of government actually encourages you to participate with your differing views.

We encourage people from a diverse range of backgrounds into our midst through our immigration programs, knowing that these new citizens will bring a welcome diversity of culture, skills, resources and knowledge. That might be seen as a rather ideological, pie in the sky view, but I firmly believe that citizenship cannot be viewed as simply a ritualistic ticket. It is far more than that and we are entitled, as citizens of Australia, to expect that those coming here from other lands accept the values that we cherish beyond mere lip-service as a ticket to self-indulgence.

I came to Australia with my family from Holland at the age of seven, and we were afforded every opportunity to grow. At that time we recognised that whilst we may have been given the opportunity, we were under no illusion that from then on we only got back what we put in. And we were under no illusion that ‘when in Rome’, and we adjusted accordingly to the Australian way of life, such as only speaking English in our home.

Even in those days there was a restriction when migrating to Australia in that a member of the family had to speak English and the prospect of a job was to be proven. These days seem different and we are more tolerant of persons who cling to the cultural habits of their old country. Perhaps we have gone too far. We need only scan the media reports to detect that there is an increased degree of discomfort with people who now seem a little too different to the rest of us. In fact, there are concerns expressed to me, from all walks of life, over the growing predisposition from some sections of the community to gather in enclaves.

I am sure there is only a minority who choose to do that, but I would be sticking my head in the sand if I did not recognise the very public demonstrations of anti-Australianism, particularly from sections of some Middle Eastern communities. The aggression shown is clearly at odds with someone who has purported to have accepted the value systems of their new nation. It is totally out of place and certainly un-Australian. It is almost like reverse apartheid, yet we are asked to tolerate and accept behaviour which is hostile to our ideals. There is no doubt that the process of obtaining Australian citizenship warrants a review, if for no other reason than the fact that the community is beginning to question whether we were becoming perhaps a little too lax in our entry requirements.

As much as I would like to think that we are a very tolerant nation, that generally we have an enviable record of assimilation of immigrants, I definitely resent being taken for a ride by someone who takes the oath of allegiance and then goes on to attack his new country. This seems to be happening more and more. Citizenship is not something that should be given away lightly. It is a thing to be cherished and savoured. There is a mutual obligation in this
process, and we need to ensure that those who say, ‘Let me stay,’ stay on our terms and not on those imposed from afar. The preamble to the Australian Citizenship Act 1948 contains the statement:

Australian citizenship is a common bond, involving reciprocal rights and obligations, uniting all Australians while respecting their diversity.

Australia is a unique country and the qualities that make us unique are worth preserving. The government is intent on ensuring that our values and our way of life—the things that make us proud Australians—stay that way. If we are to act and live as a community then surely we must define the traits common to us all. How can you have a unified community when it is allowed to become segmented and segregated over diverse ideologies and cultures?

I have no problem with people identifying with their parent land—and sure, it forms part of their comfort zone. Certainly, I will always have a place in my heart for where I was born. But if you have chosen of your own free will to live in another country, surely it is common sense that you need to get on with the other people in that community. What is the point of saying, ‘I like your lifestyle; I want to join,’ and then saying, ‘But I don’t like you’? I cannot follow that logic, and neither can many Australians with whom I communicate daily.

It is not for me to stand here and say, ‘This is my opinion.’ I am simply reflecting what the majority of my constituency says to me and, in turn, I am relaying their sentiments to the House. I understand that not everyone shares this view and no doubt I will be criticised for daring to express it, but that is the way it is. I do not know why some people insist that it is we who have to change to accommodate the fractious newcomer. I want to welcome everybody into the home that we call Australia. It is a home that is warm, a home that is friendly and a home that is caring, and it is a nice place to be.

Unfortunately, we have had lately some instances where our home has been gatecrashed by people who really do not like much about our home. They have shown that they do not like us, they do not like the way we live, and they certainly do not have much tolerance for what we believe in. In fact it seems that in some cases these gatecrashers want to take over our home and impose their demands on the household. I say to them: ‘Welcome into our house but, while you are in it, you have to follow our rules. If you do not like them, go somewhere else more acceptable to you.’ Our home is worth fighting for, and many in our extended family have died preserving it for the rest of us. We should be grateful that there is so much generosity in our house that we can share. We do not want anyone in our house that wants to contaminate that generosity by preaching hatred and division. That is not our way.

This legislation is necessary and appropriate for the times. It is neither excessive nor harsh. It is a reasonable response to a time when Australians are becoming conscious of their identity after a period of cultural cringing. We do not have to be apologists for who we are. In fact, we have every right to be proud of who we are—and, if you want to join us, that is fine. Is that too big an ask? I do not think so. This legislation is not asking for any more than what is occurring in other countries that wish to protect their sovereignty and identity—countries like the United Kingdom, the United States and Canada.

I must commend the Senate Legal and Constitutional Legislation Committee for their thorough examination of the issues, and I equally commend the government for its adoption of many of the recommendations that flowed from that inquiry. Are we making it harder for new immigrants to win the right to Australian citizenship? Hardly. It has been my experience to
find that people who have taken out citizenship have been living here for many years before doing so. Some have taken upwards of 40 years to discover that they want to be an Aussie. Not everybody will assimilate readily. Everyone has to have their own time frame, and some people will just never accept the Australian way of life. That is fine; that is their choice. But they should at least be honest about their intentions—and that is the fundamental philosophy of this bill.

In closing, I would also like to touch on the subject of introducing a formal citizenship test. I have seen the media comments in relation to this proposal. They largely ridicule the idea, which is hardly an unexpected reaction. But out in the electorates, out in the real world, a totally opposite viewpoint prevails. It is a subject worthy of exploration, and we would be failing in our responsibility to our constituents if we did not canvass those views. What is the point of offering citizenship if it does not act as a vehicle to unify newcomers to Australia?

On a cautionary note, publicity has been given to a handful of cases where an individual who identifies themselves as an Australian citizen is then seen to engage in anti-Australian behaviour. This should not be accepted as the norm. Most who come to Australia and who adopt it as their home assimilate readily and go on to contribute positively. I certainly do not want to demonise those people nor encourage the notion that we are xenophobic rednecks, but those pockets of individuals who accept our gift and then go on to dump on us are not wanted.

Opposition members interjecting—

Mrs GASH—I hear the Labor Party members having a giggle about that. We can and should do without them, for all they do is breed division and animosity. I welcome the government’s initiative, and whilst these bills do not profess to be the be all and end all to this issue, at least they are a start in the right direction.

Mr PRICE (Chifley) (6.37 pm)—I must confess that I have heard contributions from the honourable member for Gilmore in this place and often agreed with the points that she has made. However, I do not agree with her submission on the Australian Citizenship Bill 2005 and cognate bill.

Let me make a few points. All members of parliament attend a lot of citizenship ceremonies, and they are conducted by local councils. The person who usually conducts the citizenship ceremony is the mayor. We are being told that citizenship is a very important thing in our society. I absolutely agree. However, the first thing I would say to that is, that, often in our society, we use money to measure the importance of a thing. It is an unfortunate trait; maybe it is a hedonistic trait, I do not know. But I am not aware of councils getting one dollar from the federal government for conducting these citizenship ceremonies.

I agree on the importance of Australian values: a fair go; this being a land of opportunity in which people can succeed; and that it does not matter what your colour is, what your race is or what your religion is. It is a land of opportunity where people, by dint of their own efforts, can succeed. I also hold mateship as being fundamental to Australian values.

However, when people become Australian citizens, they are not tested on their understanding of Australian values. This government will not invest in adequate courses so that people can learn English. I am a very proud member of this place and I am the son of a refugee. My mother came out here in 1938; she was 18 at the time. She is 90 now and she has the very faintest hint of an accent. But if we were trying to test my mother on English, I suspect she
might have failed and never been able to become an Australian citizen. If we applied that test of speaking English to that whole wave of postwar migrants who contributed so much to this country, we know they would not get here today on the point system but under any English test they would probably fail.

I want to discuss this issue about assimilation and getting a sense of what it is to be Australian. I have seen communities wanting to preserve their culture, wanting to preserve their language and wanting to preserve their connection with their country, and I have always said I do not object to that; in fact, I commend it. But Mother Time works her magic and, if she does not do it with the generation that migrates, it is the next generation—and if it is not that one it is the second and the third generations. We can legislate as much as we like, but we will not stop Mother Time and the wonderful way she works.

We have gained so much from that massive post World War II migration. During World War II Australia had only six million people. All the strange smells and foods that we originally objected to when that mass of mostly European and southern European migrants came—the Italians and the Poles and the Yugoslavs; we called them Yugs and wogs and a whole range of things—we have quietly adapted to and adopted some of the things that they brought here.

I must admit that I admire their commitment to family; they are ferociously committed to family. They were so overwhelmed by the opportunities here—they might have come here as labourers or farmers or market gardeners or poultry farmers; I grew up in that part of Western Sydney that was called, probably in a derisive way, 'little Malta', but I was proud to be part of it—and they really wanted their children to succeed, really wanted them to do well at school. They wanted them to go on to university, and so many of their kids ended up with qualifications well beyond what their parents had.

I can remember getting into school buses and getting, because I grew up in 'little Malta', an overwhelming smell of garlic. I thought at the time it was most objectionable because in our home we did not use garlic. Like a lot of Australians—I suspect you, Mr Deputy Speaker Lindsay, and even the honourable member for Parramatta—I am addicted to garlic now. What Australian family would not cook spaghetti bolognaise? What Australian family would not—

Mr Barresi—I'll teach you how to cook properly.

Mr PRICE—There you go.

The DEPUTY SPEAKER (Mr Lindsay)—The federal member for Deakin is misleading the parliament.

Mr PRICE—Indeed! Mr Barresi draws my attention to the fact that we have a number of Italian members on both sides of the House. I was always very fond of the former member for Bowman, Mr Sciacca, when he was a member. But that is how successful they have been as migrants, and I say congratulations to them. I am not threatened by what they have brought to Australia. It has not affected my Australianness, but the magic about being Australian is that we have not only kept our core values but also absorbed some of the very worthwhile values that the migrants have brought to us.

I was talking about citizenship ceremonies. If this federal government and I believe that citizenship is so important, why aren’t we assisting councils in those important citizenship ceremonies? Speakers, including the member for Gilmore, have referred to those people at a
citizenship ceremony who have been here for 20 or 30 years and have stepped forward. All too often, I must say, they are from the UK. In fact, the one group in our society which has been very backward in accepting Australian citizenship is migrants from the UK. They are the biggest group of migrants who have not become Australian citizens. They are permanent residents. Once, if you came from the UK, you did not have to take Australian citizenship. I am sure every member in the House has had an experience where someone has been on the rolls without being a citizen, moved, dropped off the roll and then they cannot get back on because they actually have to take citizenship when they fall off the rolls.

I can relate the case of a delightful lady who was a permanent resident but who has sadly passed on now: Mary Woods. Did she give me some when she came to the office! She was a little pocket battleship—a lovely person though, I want to say. She was outraged about it, absolutely defiant: there was no way she was going to take Australian citizenship. I am pleased that I persevered and talked to her, and I had the great pleasure of seeing Mary and Tom become Australian citizens. I think we should put more into our citizenship, not less.

The other thing that really grates on me is that the only thing I can do to establish my citizenship is to actually produce my birth certificate or a copy of my birth certificate. That is what determines the fact that I am an Australian citizen. The former minister for immigration, Mr Ruddock, said people can affirm their citizenship. Often the practice is now that those Australian citizens at a citizenship ceremony affirm it. Well, I do not like that. I think we should be even more flexible and allow Australian citizens who actually do not have a certificate of citizenship to undergo a ceremony and take an oath, as I would, to affirm—I cannot say renew, because they were born with it—their Australian citizenship and have one of those lovely citizenship certificates. I would proudly display mine. But under these proposals I am not allowed to.

The other thing is that people come here under different circumstances. I refer to my mother, when she came here. They paid to get out of Vienna, got forged documents and were able to bribe their way through the border guards. We would say in today’s language that they used people smugglers to get out of the country. But what about those people who are imprisoned by oppressive regimes? We have too many of them. In this new millennium, sadly we still have too many of them.

Other speakers have made the point that, under these proposed changes, if Nelson Mandela wanted to come to this country, he could never become an Australian citizen because he spent more than five years behind bars. In my view, he was improperly imprisoned, but you can run an argument it was by the law of the land, by a legal process. He was imprisoned for 26 years. But Nelson Mandela, should he wish to come into this country, would never be eligible for citizenship under this legislation. I think that that is an outrage because, as prominent as Nelson Mandela is, I am sure there are a whole host of citizens who have been victims of maladministration or poor government. We would not really call it a government; we would probably say a dictatorship, an oligarchy or whatever. But still today they are falsely imprisoning citizens or improperly, in my view, not giving them human rights. I think it is something that we need to look to.

The government announced that it intended to have citizens wait three years as permanent residents before they could take citizenship. It was done under the auspices of COAG and it was done for security reasons. The Labor Party supported it. We supported that policy as ini-
tially announced by Mr Hardgrave and then, I think, by the Prime Minister for a three-year wait. But this legislation has increased it to four years and we are offered no particular reason as to why it should be four years. It has not been referred to COAG, so we know it is not the state governments that have urged this upon the government. There is no security reason stated for it going from three to four years. If there is, please state it. It should be in the second reading speech, but it is not. I have some difficulty with it.

Initially in my electorate of Chifley, the highest NESB group was Maltese. I am delighted to say that it is actually Filipino—Filipinos now constitute the largest non-English-speaking group or migrant group in my electorate. They are just fabulous people. I have quite a variety of migrants in my electorate. When the Filipinos come here, they are so proud and grateful to be here. They wait their two years, as is the law at the moment, and then they are in there wanting to become Australian citizens. The Filipinos in particular are in there and they want to be Australian citizens. They make great citizens of Blacktown and they make great Australian citizens. They certainly recognise that this is a country of great opportunity, and their rate of homeownership is high. It is such a triumph for them when they buy that first home rather than renting it. Are they adopting Australian values? I think so. I cannot detect amongst them, or amongst any group for that matter, any reluctance. Ironically, for the electorate with the highest level of unemployment in New South Wales, I have a lot of Sudanese refugees—some might say a disproportionately high number of Sudanese refugees. They are terrific people.

Mr Barresi interjecting—

Mr PRICE—No, they are, really. They are so grateful to be here. Many of them do not initially understand the very basics of how to change a light bulb, operate the toilet or whatever, but they are very grateful to be here and, notwithstanding the fact that they are in an electorate with such high employment, they are very eager to get the skills and the ability to get the job. I would not say about that group of people that they are ungrateful.

In fact, I cannot think of any citizenship ceremony I have been to where at the ceremony or subsequently people have attacked Australia or Australian values. We do have some differences. I think the great privilege of being a federal member is that we are required as part of our job to get to know the different communities that are in our electorates and we tend to get a broader knowledge of them. We get an understanding of different religions. If we were just ordinary citizens, we might know our neighbours and we might know the people we work with or go to church with, but we would not know as wide a circle as we are privileged to know as members of parliament.

The shadow minister has moved a second reading amendment. I must say that I support it. We support extending the wait for citizenship to three years on the basis that this was an outcome of COAG, but we are not supporting extending it to four years. What is the reason we are not supporting it for four years? It is because the government has offered no explanation. It has not consulted with the Council of Australian Governments, COAG, on increasing it beyond the three years. It has offered no security reason for it. I also pointed out the situation that would apply to Nelson Mandela: because he was incarcerated not for five years but for 26 years, he could not become an Australian citizen. Of course there is the mostly rectified situation with the Maltese community—I am pleased to say that—but there are still some anomalies and we have pointed out in our second reading amendment that we hope that the government would pick up those anomalies and do a good job of tidying it all up.
I do not have a cultural cringe about being Australian; I am intensely proud of it. I think we have a fabulous country, but so do the people who come here. They think it is a fabulous country. They do not think we have a cultural cringe. They want to join us. They want to get in on the opportunity. I will conclude by saying that I strongly support the second reading amendment that we have moved, but we are not declining to give this bill a second reading.

Mr BARRESI (Deakin) (6.56 pm)—I am very pleased to be able to make a contribution to this important debate. It is a debate which has at its heart a recognition of the fact that the Australia we live in today is markedly and vastly different from the Australia that introduced the Nationality and Citizenship Bill 1948. We know that we have evolved as a nation through successive waves of migrants that have come into this country and added to the richness of what we call Australia today.

These amendments and the associated legislation seek to make those citizenship laws relevant to our contemporary society. I note that in his second reading speech the parliamentary secretary made it perfectly clear that the principles underlying the existing legislation remain the same. That is to say, this legislation reflects the belief that access to citizenship of this country should and does remain inclusive and non-discriminatory and that these beliefs should form the basis of our citizenship law and policy. It means that as a society we can continue to welcome migrants and refugees who come to Australia and decide they wish to remain here and become fully participating members of the Australian community.

I am one of a handful of members in this parliament—both in the Senate and House of Representatives—who was born overseas. I have lived through some of the difficulties of adjusting to a new home, albeit as a boy. I cannot pretend to know exactly what it would be like as an adult. I know that, certainly in those early years when my father and mother came out here in 1959 and 1960, when I was only a four-year-old boy, life was tough. We lived in a different Australia then.

They had to wait five years to take out Australian citizenship. It was a two-year wait for quite a long time. It has been changed to three years and now of course there is a move to make it four years. I support the move to four. I think certainly the period of two years was well and truly too short to have a full understanding of the kind of society that one is calling home and to appreciate the expectations that are on you as a new migrant. Likewise, it is too short a time for the nation to be satisfied that that transition is truly being made with a firm belief in becoming a working member of our society.

Democracy is not easy and it is not meant to be. For all intents and purposes, it is an undertaking that requires active and full participation by those who would enjoy the benefits of it. Being a citizen cannot and must not become a spectator sport, one where the vast majority of citizens sit back and are governed.

I, like all members of this place, attend a number of citizenship ceremonies held by our councils; I have even held citizenship ceremonies in my office, private ceremonies, on occasions. And I often say at the citizenship ceremonies that I attend that people have the freedom and the ability in this country to achieve whatever they wish to achieve and that the aspirations of a migrant to this country can be fulfilled and the dreams that they have set for themselves and for their children can be realised in this country.
Certainly, whether it be participating in a school as a parent, whether it be participating as a member of a sporting club—whether that be the junior soccer club or a tennis club—or whether it be participating in the democratic process in council, state or federal government, in terms of membership or as a volunteer in that process, the opportunities are there without fear or favour. The kind of participation and freedom that is allowed in this country is one which I believe does set us apart from so many other nations. And it is an expectation we have of our citizens that they do participate in the process, rather than sitting back and simply enjoying the fruits of becoming an Australian citizen.

I have found that being able to adequately and concisely explain to someone from another country exactly what it means to be an Australian is very difficult. I think if we were to ask various members of parliament, they would probably have different interpretations of what it is that would mean. It is something that requires active participation in democracy, as I spoke of earlier. It is, of course, perfectly acceptable to disagree with another citizen who says, ‘I think that being an Australian means—’ whatever, without explaining the reasons for disagreement or, better still, providing an alternative value which typifies this society.

It is easy to say something is un-Australian. I note that in the last week or so there has been quite a lot of commentary made about things which have been said which are un-Australian. It is easy to know that the comments by Sheikh al-Hilali that were made last week are un-Australian; that is without question. We may not know exactly what the specific values are, but we do know what is un-Australian, and those comments certainly were. They were derogatory, they were outdated, they were sexist and they certainly do not reflect the views of many in this country, no matter what background those people come from. And I am pleased to see that members of the sheikh’s own community have also denounced those statements—although I do wish that some others would denounce them even more strongly, rather than being lukewarm in their comments. They do nothing to build up a sense of oneness in the broader Australian society. What the recent media coverage of these comments has provided is a chance for the moderate sections—which I believe are the vast majority of the Australian Muslim community—to express their views, which are certainly reflected by the rest of the Australian community. They have responded almost universally in their condemnation of these comments.

The debate about what it means to be Australian, and the type of values we can enunciate to those who wish to join us as a fully engaged citizen, is one that we must have. I am pleased to see that in the last month or so the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs has put out for discussion that very topic—about what it means to be an Australian and what the values are. I will certainly be noting with great interest the submissions and the comments that are made in response to that request.

Enunciating these values is difficult and it is meant to be difficult. Other nations have resorted to revolutions or wars of independence to develop the clarity of thought to enunciate the values on which their nations would be built. We are not seeking to create a shorthand in this process, but we are certainly seeking the engagement of the Australian public with what it means to become an Australian citizen. Life in Australia today, and the life we will lead in the future, is too complex for a shorthand approach to identifying the values that we hold dear.

Prior to entering parliament, as a number of members would know, part of my training was in the area of psychology. One of the things that I know from psychology is that it is always
very hard, almost impossible, to read the mind of a client and to read exactly what is going on. People would say to me, ‘You know what I am thinking about,’ which was quite flattering but also very untrue. But what you do rely on in your assessment is to look at the context in which that person is operating and the situation they are in, and to notice the behaviour that they exhibit. By examining their behaviour you can help to explore some of the deeply held values which they may have.

In the same way, while it is difficult to read the mind of the Australian society, we can look at the behaviours that we want to promote in this country and that we want to encourage in our society. We can take these manifestations and explore the sentiment that drives these behaviours. We can begin to clarify the criteria that we apply to ourselves in determining what makes a fully participating member of Australian society, and from there begin to detail the characteristics and the qualities of those people we are looking to include in society.

I began my remarks by saying that democracy is not easy and it is not designed to be. To those who wish to have an input into the way in which we clarify just what it means to be an Australian, I say: give serious consideration to the parliamentary secretary’s call on the value statement, vocalise your views and let’s see if we can make this country, which has been so enriched over 200 years of migration, an even better nation than it is today.

I make that call not only to those who have come to this nation through the usual migration process but increasingly also to those who have come across as refugees. This country has a proud record in taking refugees into its society, from right after World War II, when they came from countries such as Poland in eastern Europe. In the 1950s we saw refugees coming from Hungary and Czechoslovakia. I think in the last couple of weeks we celebrated with the refugees from that time the 50th anniversary of the Hungarian uprising, which coincided with the Melbourne Olympic Games. We have refugees from the Balkan wars of the 1990s. People came from the Indochinese community in the 1970s and from Chile and El Salvador, and, of course, in more recent times people have come from the Middle East, Asia and Africa.

Refugees and migrants have enriched this nation. They have made this a nation that all of us are very proud to be members of. I am proud to be a member of this parliament, having a migrant background. I look forward to the day when we will see members of this parliament from nationalities which are perhaps more recent arrivals to this country. While we have members of parliament from Holland and Fiji and from the eastern European nations, it would be great at some stage in the future if we have members of parliament who can trace either themselves directly or their families to the African region, to the Middle East and to Asia. But, in doing so, we must all have one thing in common—that is, a love for this nation and the upholding of the very things that make us great, the values which are very common to all of us as a nation.

Dr Emerson (Rankin) (7.08 pm)—Australia is the greatest nation on earth. The Australian story is one of immigration, as wave after wave of migrants came to join the original inhabitants of the land, to whom we pay our respect as the custodians of the land. As a nation of immigrants, we built this country to become the greatest country on earth, and a wonderful story in our history is the great postwar immigration period. That period was conceived by John Curtin, as the Prime Minister of Australia, during the Second World War. It was initiated by Ben Chifley after the war, and after the tragic death of Prime Minister Curtin, and was then carried on by the Liberal government through the fifties and sixties. And Labor and Liberal
governments through the seventies, eighties and nineties have continued a very strong immigration program. I acknowledge that it was the Holt Liberal government that abandoned that horrible, vicious, nasty White Australia policy, and I pay tribute to the Holt government for doing that. That was a blot on our claim to be a decent and fair nation, and it is a great tribute to that government—with the support of Labor—that that stain has been removed.

I now want to cast forward, having recognised that some six million migrants have come to our country since the Second World War. About half of the population growth in Australia has been due to migrants. If we look at Sydney and Melbourne, we see that closer to two-thirds of the population growth is attributable to migrants if we count the children of migrants. That gives you some idea of the dimensions of this wonderful immigration program. In looking forward, we know we have the challenge of an ageing population in this country, and it is worth asking what role immigration can play in arresting the ageing of the population. Surprisingly, the role that immigration can play in achieving that objective turns out to be quite limited.

The projections from the Australian Bureau of Statistics have tended to rely on mid-range net overseas migration of around 100,000, but that has got up to almost 120,000 in the mid-2000s. I think it is a good result for Australia that net overseas migration has been lifted, and I am happy to say that. But if we were able to achieve net overseas migration of 125,000 per annum over a 40-year period, the proportion of our population over the age of 65 would decline from 26.1 per cent to 25.6 per cent, which is hardly a major difference. That leads us to the conclusion that net overseas migration cannot realistically be engineered to avoid or even substantially moderate Australia’s demographic transition to an older population.

By the way, these projections and alternative scenarios of 100,000 or 125,000 net overseas migration demonstrate the absurdity of the polar positions that have been taken in relation to Australia’s future population. On the one hand, prominent biologist Tim Flannery in 1994 spoke of a population of six to 12 million. That is a very substantial depopulation of Australia. On the other hand, former Prime Minister Malcolm Fraser in 1997 spoke of a population of 50 million. But, even if Australia were to raise its net overseas migration to 125,000 a year over a sustained period and if we were able to stabilise the fertility rate at 1.8, which is roughly where it is at present, the effect would be to raise our population by the middle of this century from 26.4 million to 31.4 million—an addition of just five million people.

But, having said all that, increased levels of overseas migration will be crucial to cushioning the impacts of population ageing and to prevent Australia’s population from actually declining from around the mid-2030s under the current projections. So I would argue that we do need net overseas migration of around 125,000 a year, which is greater than the current levels—which themselves are greater than those during the 1990s. That provides some of the background to the legislation that we are debating here in the parliament, the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005.

The truth of the matter is that we will need a very substantial immigration intake in this country, not only to cushion the impacts on the population or population ageing, but because, crucially, in the 21st century the availability of creative talent will heavily influence and arguably determine the affluence of nations. Richard Florida has prepared two influential books: *The Rise of the Creative Class*, in 2003, and *The Flight of the Creative Class*, in 2005. Florida
argues that there are about 150 million creative people in the world today, essentially university educated professionals.

Many of them, however, are also people who have gained an advanced vocational education. Florida argues that it is not so much countries but parts of countries—regions and communities—able to generate, attract and retain creative talent that will be the most successful communities in our globalised world. These creative people will generate wealth, and a characteristic of those regions or areas where creative talent concentrates is that they are much more tolerant and open societies—better places to live. And most of us would want to live in affluent, tolerant, open societies.

So this great contest for creative talent will be and already is under way. Australia needs to fully understand that it will be a competitor with other countries in seeking to attract such creative talent to our shores. Conversely, those areas, those parts of countries, that are unsuccessful in attracting, generating and retaining creative talent will be closed, intolerant societies. They will be lower wage societies and they will not be the sorts of places that we would want our children to live in. So there is a great deal at stake in generating, attracting and retaining creative talent, and that is the context in which I want to assess the legislation before the parliament.

The legislation with which we are dealing makes two big changes. The first change is that it extends from two to four years the number of years during which someone must be a resident in our country before they can become an Australian citizen. This bill, in 2005, proposed to extend that residency qualifying period from two to three years. Labor, on the advice of security agencies and due to the fact that the states were prepared to accept and were supporting this legislation, was prepared to accept arguments that were not well developed but were put to us that there was merit in increasing that residency requirement from two to three years.

Personally, I had a lot of difficulty with that. I will explain my reasons. Whenever I, as an elected member of parliament, go to a citizenship ceremony—and I enjoy them whenever I do—and get the opportunity to speak, I say: ‘Congratulations. Good on you for making a commitment to our country, for making the decision to become an Australian citizen. Good on you for not simply remaining a resident, whether temporary or permanent, but making a commitment to our country.’ Then I urge people who have made that commitment to go out to others in the community and encourage them to make that same commitment to Australia.

We had legislation in this parliament in 2005 making it harder for that to happen—that made residents wait for another year before they could take out the very citizenship that we wanted them to take out, that we congratulate them on taking out and that we urge them to spread the word to others in the migrant community that they should take out. To me, that was uncomfortable. But the latest proposal contained in this legislation to increase that qualifying period by a further year, from the proposed three years to four, is unacceptable to me and my colleagues on the Labor side. What earthly reason could there be for the government, having not even passed the legislation to increase the qualifying period from two to three years, to have a rethink and increase it further to four years?

I have been going through the explanatory memorandum, I have gone through the second reading speech and I have gone through the citizenship paper of the parliamentary secretary, Mr Robb. I can find no compelling reason to extend that qualifying period by another year. I know there are members of the government who are very uncomfortable with the proposal to
do that. Therefore, I thought I would ask the member for Kooyong to speak on my behalf during this debate. I refer to Mr Georgiou’s statements in the Melbourne Age of 5 October this year, where he said:

In my view, the discussion paper in no way demonstrates the need to change our longstanding processes, and the proposed new approach potentially undermines our unquestionable success.

The member for Kooyong continued:

I have looked closely at the Federal Government’s discussion paper, Australian Citizenship: much more than just a ceremony, and I can find no detailed, robust analysis of a problem, and no evidence of how the new measures would resolve a problem that has not been demonstrated.

He said:

How can it be in the national interest to impose new barriers to citizenship, barriers that would have prevented its acquisition by so many who have demonstrably proven to be model citizens?

Hear, hear! And good on the member for Kooyong for speaking out on this. The only reference that I can find to moving from two to four years is in a statement by the parliamentary secretary, Mr Robb, which said:

This change, together with the proposed citizenship test with its English language requirement, will help ensure citizenship applicants have had sufficient time in Australia to become familiar with our way of life and appreciate the commitment they are making when they become citizens.

That is it. That is the explanation: it is just going to give them a bit more time to work out whether they want to or not. If they want to after two years, why would we stop them? We are told that there are national security reasons. If we reluctantly accept that, what are the reasons for extending it a further year? It is only because the Parliamentary Secretary to the Prime Minister decided it would be a cute trick—something to do that might make life a little more interesting. Maybe we could get a debate going about how people should really make a commitment to this country and we will make it a bit more difficult for them to do so. No explanation whatsoever, as the member for Kooyong has well demonstrated.

The member for Kooyong made further comments on this in a speech called ‘The Liberal tradition’. It was an address to the Murray Hill Society of the University of Adelaide on 4 October 2006. Again, I would like to share with you some of the sentiments of the member for Kooyong. He said at page 10:

Now we are told we need to make significant policy changes to address weaknesses in our citizenship laws.

He goes on to say:

Where is the evidence showing who does not learn adequate English and the reasons for that? Do immigrants not want to learn or are they stymied by the lack of availability of classes or are they fully occupied in meeting other demands, such as employment and family responsibilities?

Again, there is no analysis, as the member for Kooyong points out. He goes on to say:

The third premise is that somehow we have fallen behind other countries in the stringency of our requirements. The countries that we are falling behind are cited as the US, the UK, Canada and the Netherlands. Look at their record of harmony. Australia’s record is second to none in multicultural harmony and integration. We are uniquely successful. Why should we emulate countries with a less distinguished record?
Again, I join with the member for Kooyong in his statements there. In what seems to be a warning by the member for Kooyong, he says:

The Liberal Party’s traditions may have changed over the decades.

But enduring has been the right of members of the Liberal parliamentary party to differ from the majority of their colleagues on matters of principles and conscience. This of course extends to the expression of a different view on the floor of the parliament.

I do not propose to spend the remainder of my time chortling about the member for Kooyong as if this is some great political coup. He is just making the point that this is a matter on which he feels very strongly. And I join him because it is a matter on which I feel very strongly.

The member for Kooyong is foreshadowing the possibility of crossing the floor on this issue. It has happened before, in 1988, when the now Prime Minister complained that he thought there was too much Asian immigration. Bob Hawke introduced a motion into the parliament. I was a staffer when he did so; I sat in the advisers box. That motion was a call for a return to a bipartisan immigration program, noting in the parliament that it was the Holt government that had abandoned the White Australia policy. The motion called for a return to a bipartisan non-discriminatory immigration policy. A number of members of the coalition crossed the floor on that motion, in both the House of Representatives and the Senate. One of those was the current Attorney-General and former immigration minister, Mr Ruddock. To the best of my memory, Senator Hill crossed the floor as well. Good on them. They showed that they care about these matters, and the member for Kooyong is showing that he cares about these matters.

For heaven’s sake, in the 21st century, when we will be competing for talent around the world, for skilled migrants, it is completely unnecessary to say to them, ‘We will not allow you to make a commitment to this country, to declare your allegiance to this country, until you have been a resident in this country for four years.’ It is against the national interest and we should oppose it. I would encourage any and every member of the coalition who has had the time or the inclination to think about this legislation to join Labor in opposing that measure. It is not in the national interest and it is not in the spirit of the great postwar immigration program that has mostly enjoyed bipartisan support and that is now fraying at the edges through manoeuvres such as this.

Mrs MAY (McPherson) (7.29 pm)—I am pleased to make a brief contribution tonight to this debate, which is important to all Australians. Unlike the member for Rankin, I believe the Australian Citizenship Bill 2005 is important. Of course the coalition will not be opposing the bill; I certainly will not be. Traditionally in this country Australia Day is a national holiday, a day to reflect on our rich history, a day to celebrate with friends and family, usually with an Aussie barbecue, outdoors in this wonderful country of ours, a day that traditionally marks the end of the summer holidays, the end of a long hot summer, of holidays at the beach, beautiful long hot summer nights and clear blue skies. But, apart from being a national holiday, Australia Day for many will hold a special place in their hearts. For many Australians or new Australians it is a new beginning because, in communities right around Australia, citizenship ceremonies are held to embrace our newest Aussie citizens.

I as a member of the federal parliament am conferred with the power to act as a presiding officer at two ceremonies that are held in my electorate on that day. Both ceremonies are rewarding and very moving, and tonight I would like to pay tribute to Mr Ron Workman and the
Currumbin Palm Beach RSL for hosting one of these very moving ceremonies. A ceremony earlier this year saw 90 new Aussies take out their citizenship. It took place in the company of many of our veterans, our local high school captains, members of our cadet units and representatives from our local Indigenous community—the traditional custodians of our land, the Currumbin people. The ceremony is very moving; there are tears and laughter. The hopes and dreams of many are shared on the day, as are the challenges and difficulties that many have faced before coming to our wonderful country. The morning service is a celebration of the cultural and ethnic diversity that is the hallmark of Australia today.

The planning for next year’s ceremony is already under way. The morning has a true Aussie flavour, with presentations from members of our Indigenous community, with poetry readings and singing and, of course, with great Aussie tucker. The evening ceremony is hosted by the Mudgeeraba Lions and includes a great Aussie barbecue in a local hall. On Australia Day this year, 30 new Aussies accepted our invitation to dinner, and what a celebration that was. There is nothing like a sausage sandwich and a lamington—both great Aussie traditions that we shared on that evening. The Mudgeeraba Lions are going to host this event again next year.

We as a country can be proud of our accomplishments, we can be proud of our rich heritage and we can be proud of our vibrant and democratic society. We believe in the notion of a fair go for all. And, as a nation since the introduction of Australian citizenship on 26 January 1949, we can be proud that people from more than 200 countries around the world have made their homes in Australia. For many of these people that have made Australia their home it is the first time they have enjoyed liberty and freedom from persecution, hunger, disease and poverty. Many of these people have come here under our very generous refugee program and have found peace in their lives.

As someone who took out Australian citizenship in 1975, I can say that undertaking that step gave me a very strong bond with this country. It was an important milestone in my life. I am proud to be an Australian and I am proud that this country has allowed me the opportunity to serve in the national parliament. In my view, Australian citizenship provides a pathway to full participation in our Australian society.

Taking out Australian citizenship is a cause for celebration and reflection. People often comment to me after the ceremony about their first impressions of our country and what taking out Australian citizenship has meant to them. They describe the physical attributes of our great land: the wide open spaces, the light, the colour, the different trees and landscapes, the new smells from our different foods—I have even had people comment on the humble sandwich, something we all take for granted—the sounds of our outback, our animals and birds, the friendliness and warmth of our people, and the sense of reassurance for many that they are safe from persecution and deprivation. These impressions should never be taken for granted, and indeed Aussies can be proud that our new migrants—our new Aussies—feel this security and warmth when they arrive on our shores.

But for many of these people life has not been easy. There have been language and cultural difficulties and, of course, homesickness. It has been said that homesickness is felt most strongly in the first two years, particularly by those who grieve for their families and the domestic customs they leave behind. There is loyalty to one’s country—they are torn between the old and the new: loyalty to the old country and loyalty to their new home.
The citizenship ceremony plays an important role as the significant rite of passage in the journey to becoming an Australian citizen. It is a moment when people begin to identify themselves as Australian. The pledge of commitment is very powerful. It reflects the significance of the commitment made by people who have chosen to embrace Australian citizenship.

The package of bills before the House today contains amendments which maintain the intent of the bills. The intent of the bills is to achieve a better structured and more accessible and modernised piece of citizenship legislation, and I believe they do. I would like to outline some of those amendments here tonight. The major amendment implements the recently announced change to government policy on the residency requirements, and that has caused quite a deal of debate. This requires applicants for Australian citizenship to have a minimum of four years lawful residence in Australia immediately prior to making an application for citizenship, including at least 12 months as a permanent resident. Currently the qualifying period is two years, which had previously been extended to three years in the existing bill. Absences of up to 12 months during the four-year period are allowed, with no more than three months in the year before making the application. Personally, I see no problem with that four-year rule. I think it gives new Australians every opportunity to find peace here in our country, to assimilate into our country, to get to know what our values are and to live harmoniously with what we value here in our country. Importantly, persons who are permanent residents before the changes come into effect will only be required to meet the current qualifying period—two years as a permanent resident in Australia in the last five years, including 12 months in the last two years—provided they apply for citizenship within three years of the commencement of the act, as recommended by the Senate committee.

However, there are new discretions and they do apply. The previous act contained a number of discretions in relation to the residency requirement and was difficult to administer. Some of the provisions had a particular focus on application for merits review. In these proposed new amendments before the chamber today, the provisions have been revised to meet the policy objectives. These important changes include the removal of a discretion in relation to periods of time spent overseas involved in activities beneficial to Australia, and the inclusion of a discretion which provides for the minister to treat a period spent in Australia other than as a permanent resident or unlawful noncitizen as a period of permanent residence if the person would suffer significant hardship or disadvantage if citizenship were not granted.

The majority of amendments to the Australian Citizenship Bill 2005 address recommendations made by the Senate Legal and Constitutional Legislation Committee’s report into the bill tabled in February 2006. These include: provisions for stateless people that fully comply with the UN Convention on the Reduction of Statelessness, changes to the personal identifier provisions to more effectively combat document and identity fraud in citizenship applications, clarification of the circumstances where an application for citizenship may be made by a child in their own right and when an application may be considered as part of the application of a responsible parent, and maintenance of review rights existing in the current act.

One amendment is made in response to a recommendation of the House of Representatives Standing Committee on Family and Human Services inquiry into the adoption of children overseas. I know the member for Mackellar, who chaired that inquiry, will be delighted to see this provision. This provides that a child who has been adopted overseas by an Australian citizen for full and permanent adoption in accordance with arrangements under the Hague con-
vention on intercountry adoption can be registered as an Australian citizen. The bill also includes a change to government policy allowing for resumption of Australian citizenship by former citizens who renounced their citizenship to acquire or retain another citizenship.

We have often heard that Australian citizenship is a privilege and not a right, and to that end we must ensure that people understand that privilege. It is important that applicants have spent a reasonable amount of time in our country and that, during that time, they gain a very clear understanding of our Australian values and our Australian way of life and understand the responsibility they have to fully participate in the opportunities that life in Australia offers. The bills are not about punishing or penalising people by making them wait longer before they can apply for Australian citizenship; they are about giving people the time to embrace our way of life and to understand the rights and responsibilities that go hand in hand with Australian citizenship. They are about having time to adjust to the Australian lifestyle.

The final act of taking out Australian citizenship is a formal commitment to our country and the values that uniquely define us as Australians. Most of our new Aussies do eagerly grasp the opportunity to feel the sense of belonging, to make the commitment to become one of us—an Australian citizen. In fact many of our new citizens have encouraged us to value our way of life—the freedoms that we can often take for granted. I know there have been many times when I have seen my country through new eyes and reflected on what it means to be an Australian. That particularly comes home to me during those citizenship ceremonies when I meet people from all corners of the globe and they share with me some of the hardships and challenges they have endured in their own lives and, in coming here to Australia, what it means to them to embrace the freedom, values and culture of Australia.

The range of contributions made to this country by many of our migrants is just breathtaking. The diversity of our ethnic origins is truly the strength of our multicultural society. Many of Australia’s top corporate executives, diplomats, lawyers, doctors, academics and people from industry and business generally make up the rich tapestry that is Australia.

Australia is and always will be a multicultural society. Our multicultural policies have served Australia well, contributing, I believe, to a fairer and more just society. The cultural diversity of our nation is indeed a strength—a strength that has built a cohesive and harmonious society which has contributed to the economic, cultural and social fabric of our great country. I commend the bills to the House.

Mr HAYES (Werriwa) (7.42 pm)—The Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005 before us today, as the minister noted in his second reading speech, replace the Australian Citizenship Act 1948 with a new Australian citizenship act. A number of changes will be implemented by these bills. They include but are not limited to the proposals announced by the Prime Minister some time back relating to combating terrorism.

Major provisions in this bill include: the ability of Australian citizens who renounce their citizenship under section 17 to resume their Australian citizenship if they are of good character; the ability of the minister, under proposed subsection 2, to refuse to approve the person becoming an Australian citizen despite the person being eligible to be so approved; the ability of children of former Australian citizens who have lost their citizenship under section 17 of the old act to acquire citizenship simply by conferral; the prohibition on an approval of citizenship to applicants assessed by the Australian Security Intelligence Organisation as a risk to
the security of Australia; a rise in the age of exemption from the requirement to have basic
knowledge of the English language from 50 years to 60 years of age; the requirement that the
minister must not approve a person becoming an Australian citizen unless the minister is satis-
fied as to the person’s identity; the person becoming an Australian citizen on the day that the
minister approves the application; the requirement that the spouse of an Australian citizen
meet the same requirements of Australian citizenship by conferral as most adult applicants,
with the minister exercising discretion in this regard; and an increase in the range of personal
identifiers that can be used to establish identity.

As I mentioned earlier, the bills also attempt to graft on a number of changes that were
agreed by the COAG security meeting. Measures to address security issues include the exten-
sion of the waiting period for citizenship from two years to three years, security checks for
citizenship to be approved and provisions for increased personal identifiers such as iris scans
et cetera. Further, the security risk assessments prescribed must be undertaken by ASIO in
order to get citizenship approvals.

For an individual or a family to move from one country to another would be, I think, quite
a significant thing to do in most circumstances. In a move of that nature, nothing would be
taken lightly. Moving from one country to another could be considered for a range of reasons,
but I would defy anyone to say that moving from one country to another is something that
would be based on light decision making by a person or a person’s family. Therefore, it is of
great significance when people do come to make a decision to take citizenship in another
country.

Similarly, a change in citizenship is not entered into lightly, as most people who attend citi-
zenship ceremonies in this country would appreciate. As the member for Werriwa—and I
imagine it is the same for every member in this House—I certainly attend as many citizenship
ceremonies in my electorate as I can. The Campbelltown City Council and the Liverpool City
Council are the two major city councils that have the right conferred upon them by the minis-
ter to award citizenship. The lasting impression one takes away from these citizenship cere-
monies is just how proud these people are to become new citizens of this country—which is,
after all, their adopted home. No matter their background or their country of origin, you can-
not help but be moved by the pride that you see on the faces of these people in receiving citi-
zenship, and I have experienced that at every single citizenship ceremony that I have attended.

Of course, in most cases, they also remain proud of their country of origin. Even those of
us who are born here retain certain connections to some degree to our heritage, no matter how
long ago our respective families moved to this country. The people that I have seen at these
citizenship ceremonies are, quite frankly, fiercely proud of their new adopted country. They
are certainly proud to be Australians and are committed to participate fully in life in this coun-
try as an Australian. I am sure that I am not the only member who has experienced this. I be-
lieve that all members should bear this in mind when we are considering the legislation before
the chamber at the moment.

In a series of amendments that were tabled on 12 October 2006, the government decided to
amend the amendments it intended to make to the Australian Citizenship Act 1948. The
amendments presented earlier this month include recommendations from the report of the
Senate Legal and Constitutional Legislation Committee inquiry into Australian citizenship,
which was handed down on 12 October 2006, and recommendations from the Standing
Committee on Family and Human Services inquiry into overseas adopting. Importantly, the amendments also gave effect to the decision to increase the waiting period for citizenship from two years to four years. In itself, the increase in the waiting period for citizenship from three years to four years is a significant departure from the bill that was presented to the House in 2005. Significantly, the amendment has been included without the government having indicated to the opposition why it is necessary.

Labor supported the COAG agreed position to change from a two-year waiting period to a three-year waiting period. In that instance, Labor received a security briefing and on balance it decided to support the changes for security reasons. It was reasonable in terms of the explanation that was given and certainly in terms of the content of the brief that was received. Labor was provided with the necessary information and it made its decision to support an increase in waiting periods from two years to three years, based solely on information provided by the briefing.

I think even those most critical of the change would agree that, once you had seen and been shown the relevant security material and were convinced on balance that the measures were necessary, that change should be agreed to in the context of what was being proposed in the bill that was introduced in the House in 2005. But this time the change is to a four-year waiting period; the opposition was not provided with the same briefing. It was not given the opportunity to have a look at further security material that backed up the government’s changed position. There was no explanation, no briefing—nothing but an amendment that was introduced on 12 October this year.

Interestingly enough, this amendment, the change to a four-year waiting period, came only after the announcement by the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs, which launched his discussion paper on citizenship. You may recall that. It only came after the launch of this discussion paper in September of this year. That sort of behaviour, I have to say, suggests to me that there is something more behind the change from a three-year waiting period to a four-year waiting period and, I have to say, I think that change is the realisation of next year’s election. You cannot help but think to yourself that right at the very heart of this is some polling undertaken by this government, launched as a result of the discussion paper, that the coalition has found that there is some electoral attractiveness in extending the waiting time. You cannot help but think that politics has got in the way of public policy on this one, with respect.

As I indicated earlier, and as others have already indicated during this debate, Labor was prepared for the change to a three-year waiting period, but it has serious questions about the extension of the waiting period to four years, because it seems to have been done without rhyme or reason. I simply do not understand the logic to it. I cannot understand why the government would seriously believe that it makes for better immigrant integration to exclude them for another 12 months. That just does not seem rational.

Those who have been through citizenship processes—those who have come to love this country and who would protect it—must start to question this approach. What message are we sending to the world if we are saying, ‘Well, you have to sit outside of society for four years before we consider you committed enough to become an Australian citizen’? What are we really telling immigrants and potential immigrants to this country?
Labor have been clear on where we stand when it comes to adopting Australian values. We, along with other Australians, want people to be aware of the values that we pride ourselves on. We want people to know what is expected of them while they are in this country. Those same values apply whether you are here for a short time or whether you are going to move here permanently. One underpinning thing about values is the concept—a colloquialism, no doubt, but nevertheless there is still some substance in it—that we do stand for a fair go for everybody. You may not think that by looking at what this government has attempted to introduce and has introduced in terms of Welfare to Work or through Work Choices. It has certainly thrown the concept of a fair go out of this country in its undertakings of late. It certainly does not subscribe to fairness and decency in those instances that I have referred to. Fairness and decency have certainly been casualties of the approaches that have been adopted by this government.

When I speak at citizenship ceremonies, I often refer to the very thing I instructed my own children on as they were growing up: the concept of a fair go for everybody. Perhaps the government should think more about that and the way it parcels its legislation in other forms. Given that the opposition is yet to receive any clear reason or even any indication from the government as to why the waiting period is being extended to four years—the government has refused to give that—I cannot support that part of the legislation.

Having outlined my concerns about the extension of the waiting period for new citizens, I would like to take a bit of time to comment on some other provisions of this bill. I would like to lend my support to the provisions that give children of former Australian citizens who have lost their citizenship under section 17 of the old act the opportunity to reapply for citizenship in this country by conferral. Where the parents have moved to another country and, as a consequence, have had to forgo their Australian citizenship, their children, on applying, can have citizenship conferred on them. That is a very positive thing I draw from this bill.

Having said that, I am particularly concerned about what the government proposes to do with its migrant English programs. I, for one, believe it is important for migrants to make every effort to learn English, to adopt the language of their newly adopted country—and I would trust that, throughout this House, we are one in that assumption. However, I accept that learning a new language is never easy and, therefore, it should be supported. Senate estimates yesterday revealed that $10.8 million has been cut from the migrant English program. I believe that everyone, especially new migrants, would be best served if that funding were restored. I believe the government would be best served by that restoration, particularly if it is serious in its view that migrants should have to learn English. As I indicated, I support people adopting the English language in their newly adopted country. But can you believe that? While the government is saying those things, it is slashing $10.8 million off that budget.

There are no doubt some national security considerations to be taken into account when any nation is considering permanent or transitory migration to or from its shores. We have all seen and heard of the experiences of other nations that have been subjected to terror attacks launched by citizens from other countries and, in particular, by citizens of their own country. There is no doubt that in the post-September 11 world we have all become more acutely aware of our new realities and we must be prepared to live with a heightened sense of potential threat. Regrettably, that is now being seen as part and parcel of a modern world. I do not
shy away from that reality. Quite frankly, I know that our actions on the world stage to date have probably increased the likelihood of an attack on Australian soil.

A document—I think it was a newsletter—that was recently translated from a known al-Qaeda website indicated that this terror group considers Australia to be a proper target. Its Indonesian offshoot, Jemaah Islamiah, has also made it clear that it considers Australia to be a target. Even the former head of the Australian Defence Force, General Peter Cosgrove, believes that terrorism is a long-term threat to Australia.

However, vigilance is one thing; paranoia is something else. Given that the opposition has not been privy to any material that would lend itself to an easy rationale for a change in the waiting periods, and given that this proposed change has come so quickly after the government’s release of its discussion paper on citizenship, I cannot help but conclude that paranoia about security and, more importantly, electoral paranoia are driving this change. It disappoints me that we have got to a stage in the political debate where a change is proposed that has not necessarily a direct link but perhaps an indirect link to security related issues.

While it is important that the bill has a speedy passage through the House, I do not believe that should create an environment in which any provision, no matter how seemingly innocuous, is pushed through without due consideration of its impact. There was agreement on both sides of the House on the provisions for extending waiting periods from three to four years. That was considered to be acceptable, but the government has unilaterally changed that. I cannot help but think that, once again, this government is in a mid-term slump. It is not only me who believes this; I think everyone else believes that to be the case, including those on the other side. The government is struggling to hold back issues on many fronts, and the minister, or perhaps even the Prime Minister, has decided that it is time to blow the dog whistle once more.

I agree that appropriate measures need to be taken to ensure that those who want to come to Australia and become Australian citizens are of a character that we would expect. It is appropriate that necessary checks and tests are undertaken and that all candidates for citizenship meet those checks. However, it should not be considered appropriate to introduce provisions in this bill that seem to have no public policy basis and that merely rely on some sense of fear of foreign nationals becoming Australian citizens. It is not appropriate to introduce legislative provisions driven by fear rather than by rational thought.

Mr HENRY (Hasluck) (8.02 pm)—On 26 January 1949, the Nationality and Citizenship Act 1948 came into being. On that day, Australia’s national identity was enshrined in the reality of Australian citizenship. It is fair to say that, since then, Australian citizenship has meant different things to different people. However, one thing that has stood out and remained constant is that Australian citizenship is a great privilege that needs to be earned and respected. It is not a right or an entitlement. It is a choice which we encourage bona fide migrants to this country to make and it includes an appropriate process that leads to that ultimate outcome of Australian citizenship.

The Australian Citizenship Bill 2005 is intentionally designed to determine a person’s commitment, desire and fulfilment in understanding the Australian identity, which has been forged with exactly those qualities. It is appropriate that we continue to seek from those who wish to be identified as Australians a commitment to Australia and to our values, freedoms
and laws. Contrary to the views of the member for Werriwa, this legislation is fair and reasonable, and the amendments proposed in it meet this nation’s needs.

The Australian identity, like our lives, is not for negotiation but for living fully. As Australians we expect that, with our shared and common vision for a secure and prosperous Australia, we can live together in a safe and secure Australia in this age of terrorism. This must be considered as a priority. It takes its place alongside employment opportunities, lifestyle and the character of our nation. We must never forget that one of the main reasons people choose to migrate to Australia and to take up that ultimate commitment to Australian citizenship is that Australia is seen as a safe and secure place where people are tolerant of different cultures, religions and races and live harmoniously together in our Australian communities.

In my electorate of Hasluck, one of the most multicultural in Australia, citizenship is very important. I am advised that more than 208 nationalities are represented among Australia’s citizens. There are 137 of these nationalities living together in harmony in the electorate of Hasluck. It is a well-integrated community, boasting many migrant services for new citizens, and different faces are well represented there. Sporting and cultural clubs have flourished there, supported by proud Australians who themselves represent the very best Australia has to offer to those seeking to settle here. These constituents, from all over the globe, have succeeded spectacularly in their journey to this country and in becoming Australian citizens. I congratulate each and every one of them on their wonderful choice in calling Australia home and on their contribution to our community.

This truly is a great demonstration of the many and diverse nationalities coming together under Australian laws and adopting Australian values as the basis for their lives in Australia, with their own cultures being woven into the fabric of what is an evolving Australian society. As the member for Hasluck I have had the opportunity to attend many citizenship ceremonies conducted by the Shire of Kalamunda and the cities of Gosnells and Swan. These occasions are filled with expectation, anticipation and excitement for those taking on Australian citizenship. On each occasion it has been a great privilege to attend these ceremonies and to have the opportunity to share with all these people from all parts of the globe their desire to be recognised as Australian citizens, taking on all the obligations and responsibilities that go with that.

It is also a great joy to recognise their diversity. These people have come from Asia, Africa, North America, South America and Europe. They have come from countries such as Nigeria, Sudan, Sierra Leone, Japan, Malaysia, Singapore, India, Syria, Lebanon, Iraq, Iran, Afghanistan, Colombia, the United States of America, Canada, Ireland, England and New Zealand—to name just a few of the 137 nationalities represented in the Hasluck electorate. With Australian citizenship they have the freedom to pursue their dreams—dreams which some may have had while they endured unimaginable cruelty, oppression, hunger, threat of disease, torture and, in some cases, war. New Australian citizens understand the privilege and value of Australian citizenship only too well, having attained that status as a result of an appropriate and lawful process.

I would like to take this opportunity to acknowledge the Hindu and Sikh communities upon the recent occasion of Deepavali, the Hindu Festival of Lights. The Minister for Immigration and Multicultural Affairs, Senator the Hon. Amanda Vanstone, expressed her very good wishes to the Indian Hindu and Sikh communities on the occasion and reiterated her observation of the considerable contributions they have made to Australia in their integration as Aus...
Australian citizens. Indeed, Australian citizenship has provided them with the opportunity to freely express their faiths and cultural identities.

Likewise, I take this opportunity to congratulate the Muslim community in Australia, especially the extensive Muslim community who reside in my electorate of Hasluck, on the occasion of Eid-ul-Fitr, the Muslim new year, and the completion of Ramadan. Like all Australians who look toward to their new year with hope and excitement, the Muslim community in my electorate will commence their new year with much to look forward to as Australians who can know they have every opportunity in our democratic society to pursue their potential and fulfil their dreams as citizens of Australia.

I witnessed this firsthand last month when I had the pleasure of visiting the Australian Islamic College in my electorate for the graduation ceremony of their year 7 students. There I had the opportunity to see students demonstrating excellent behaviour, recognition of values consistent with the values of Australia, positive and progressive attitudes and leadership qualities, as well as an impressively high level of academic achievement. It is great to know that these young Australians receiving an Australian education through the Islamic values integration approach to education can freely know and express their beliefs at a community level and that the community as a whole is richer for it.

I am proud of the great cultural diversity and backgrounds of the many Australian citizens who live in the electorate of Hasluck, and I very much appreciate the talent, skills and generosity of spirit that they have brought with them. There has been no negative feedback from the diverse population in my electorate on the proposed change that extends to a minimum of four years the residential qualifying period prior to making an application for citizenship. Given the criticism that we have heard from some speakers on the opposition benches, that is very comforting.

These changes have been carefully considered. And let us not forget that it is a necessary process to confirm the applicant’s bona fides and intent to become an Australian citizen. Citizenship should not be given away lightly. It is not a passport which expires after its pages are filled or the date runs out—it is an identity for the rest of one’s life.

In consideration of these factors and the well-understood needs of applicants, the bill has reasonably accommodated absences. Absences from Australia of up to 12 months during the four-year period will be allowed, with no more than three months in the year before making an application. Presently, the requirements provide that, to be eligible for Australian citizenship, applicants need to have spent a minimum of two years permanent residence in Australia in the last five years, including at least 12 months in the last two years.

The new requirements recognise the changes in migration to Australia over the years, which have resulted in an increased number of people spending longer periods of time in Australia as temporary residents prior to becoming permanent residents. The changes are very clear-cut and focused, allowing for absences of up to 12 months within that time frame, providing for better planning by the applicant. Often there is family education, early child rearing or ageing family members to be considered by the applicant, and the amendments provide greater flexibility, facilitating this process and other matters that may be of consideration. Likewise, it gives professionals the opportunity to complete work or service contracts, which helps to preserve their foreign pension entitlements—something which is obviously very im-
portant to them. And those funds may ultimately be invested in financial services and Australian property.

There are many significant benefits to applicants and to Australia from these amendments. Those people who become permanent residents before the changes come into effect will only be required to meet the current two-year residential qualifying period, provided they apply for citizenship within three years of the commencement of the act.

The changes are comparable to those of other countries, though I would suggest that the Australian citizenship process is more focused than those of the United States, the UK or Canada, to which some people have made comparisons. Whilst comparable in many ways to these countries’ requirements, the Australian model has its advantages in that it is a focused program which gives applicants well-planned organisational and preparation time.

Then, of course, there is the other side of the coin. Because we are a democracy, we do not presume that everyone will feel the same about our country. We give them the choice. We do this by providing a reasonable time frame for the applicant to search their heart and mind as to whether Australian citizenship is something they really do want. As a democracy which respects the rights of individuals and their individual freedoms, we give them the time to choose. We believe the way we have structured the new residency requirements reflects this sense of provision and democracy in the process.

Finally I want to draw your attention to the great importance of Australian citizenship, our democracy and our national commitment to it. It has been exciting to see Australians embracing democracy, citizenship and civic education recently. During October, Australia celebrated its democracy during Celebrating Democracy Week. This is a week of civics and citizenship education for our schools and communities. It ultimately celebrates the very reason migrants choose to become Australian citizens.

The very privilege that our citizenship brings is the freedom of a democratic society. Our citizens work hard at maintaining and building our free and democratic society, and fiercely guard these freedoms. It is appropriate for Australians to always seek to understand their unique Australian identity, such as through opportunities provided by Celebrating Democracy Week. It is also important to understand the context of our history, of our patterns of migration across the generations and of our peoples through important programs like this. We, as Australians, should never be afraid to engage in the debate of considering how we see ourselves and to learn of our collective views and the historical facts that form our Australian identity and character.

Australia rightly defends its freedom to choose who enters this land of ours and when and how people enter. It wholeheartedly welcomes all those who seek to be Australian citizens, accepting our values and our laws. In return it shares with them the democratic privileges, obligations and responsibilities that go with being Australian. I support the amendments.

Mr GEORGANAS (Hindmarsh) (8.14 pm)—I, too, rise to speak on the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005. Citizenship is the foundation of Australian society on which our democratic system of government rests. In a country that has largely been built on immigration, Australian citizenship takes on even greater significance. Perhaps more than anything else, it reflects the fact that Australia has been a work in progress, depending on migrants from all around the world.
to populate, build and sustain what has become our vibrant, multicultural and largely contemporary Australian society.

For many of us, including me, Australian citizenship is part of our birthright; it is something that most of us take for granted—at least most of the time. However, for the 3.5 million or so people who have become Australian citizens since World War II, it is a different story. In deciding to take the oath of allegiance they made a conscious and deliberate choice to affirm their loyalty to Australia and its democratic ideals. Their decision to do so was no doubt very much influenced by the view of Australia as the land of hope and opportunity and a country free from the tyranny and violence that many of them desperately sought to escape.

In the electorate of Hindmarsh, 23 per cent of people were born overseas, and I am very proud to say that 91 per cent of the people in the electorate of Hindmarsh are Australian citizens. That compares to 88 per cent nationally. So in Hindmarsh, a greater number of people who were born overseas decide to become Australian citizens, and I think that is quite significant. As one of the 43 per cent of people living in Australia who were either born overseas or have one or both of their parents who were, I think I can say that I have some understanding of the importance of Australian citizenship.

Both my mother and father migrated to Australia from Greece. Like so many other migrants, they came here in the early 1950s. To them, I owe a deep depth of gratitude for providing me with the opportunity to learn about the history and culture of their birthplace as well as its language. As an Australian, I treasure my heritage and am proud of my parents for making it happen for me, but I fearlessly call myself an Australian at all times.

Although I was only a child at the time, I can still recall and I still have great memories of the ceremony where they received their Australian citizenship at the Thebarton Town Hall, very near to where I still live today. It was unquestionably a special occasion for me and for the entire family. Even though I was only four years old at the time, I still treasure that moment and remember it vividly. I am sure many other people who are gaining their citizenship will always treasure that special moment and remember it for the rest of their lives, as I did when I saw my parents gain their citizenship.

Taking out Australian citizenship does not mean turning your back on your heritage. On the contrary, it contributes to the continually evolving nature of Australian culture. In this context, the decision to seek citizenship is a celebration of multiculturalism, one that exemplifies the adage that in diversity there is unity. But for the positives of multiculturalism, citizenship is much more than this single outcome of Australia’s immigration policies over the past couple of hundred years.

Citizenship is much more than the recognition that Australia is a desirable country within which to build a new life. It is much more than the opportunity to live in relative peace away from century-old millennium hostilities, conflicts and inhumane actions that are still evident in parts of the world and that too often seem both insurmountable and contagious.

Citizenship is about rights and responsibilities—in a sense, joint ownership, both of the good and the bad, and a commitment to this nation that joint ownership suggests. It is a bit like a marriage: the engagement period can be for a short period or a long period. Many people decide immediately that they want to become citizens because they know immediately that this is the place for them. For others it may take a bit longer. But it does not matter how
long it takes—the important thing is that they have taken that step to become citizens and embrace this country wholly.

The discussion paper on a citizenship test released by the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs proposes a number of characteristics that, while not necessarily being exclusive to this country, offer a description of either how we see ourselves or how we would like to be perceived. These characteristics include: respect for the freedom and dignity of the individual, support for the democracy, our commitment to the rule of law, the equality of men and women, the spirit of a fair go and of mutual respect, and compassion for those in need.

The discussion paper calls for input on a number of points, but I only want to comment on a couple at this point in time: firstly, regarding English language proficiency. Current arrangements require prospective citizens to have their English capabilities demonstrated either by an Australian citizenship language record issued by an Adult Migrant English Program provider or through a formal citizenship interview. Content of the English program can be centred on Australia and the Australian way of life through a course called Let’s Participate: A Course in Australian Citizenship. Through such a program, prospective citizens develop their English skills through learning the kinds of things that most people would expect prospective citizens to be aware of.

Subsequent to such courses, the citizenship interview also requires applicants to respond to questions regarding the responsibilities and privileges of Australian citizenship. The questions may not be particularly hard. They may be no harder than those put to prospective UK citizens in their multiple-choice test. But testing is effectively in place already in Australia. I would like to suggest that programs such as Let’s Participate: A Course in Australian Citizenship could well be made a matter of course for prospective citizens, irrespective of a person’s English skills.

Successful completion of such a course and the English language skills that completion would require would be indicative of a prospective citizen’s knowledge and understanding of his or her place within Australian society. I think it is the responsibility of the government to maximise the availability of Australian centred programs for all migrants and, specifically, English language tuition for those from non-English-speaking backgrounds, irrespective of whether a person is applying for citizenship, continuing as a permanent resident or on a temporary visa. That the content of such courses consists of information pertinent to life within Australia is well and good, and I would assume it evolves over time to address particular themes as they become more pertinent to Australian society.

A reduction in spending on the Adult Migrant English Program to the tune of $10.8 million, as stated in a Senate estimates hearing earlier this year, suggests that the government could increase its focus on this program, the utility of English within this nation and the social benefits that migrants derive from developing their English skills. I would encourage the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs to pursue a level of funding for the program that reflects its ongoing importance.

I would like to make a comment on another question raised by the discussion paper—that is, how important is a demonstrated commitment to Australia’s way of life and values for those intending to settle permanently in Australia or to spend significant periods of time in Australia? Australia’s way of life and values presumably incorporate those elements described
in the position paper as ‘the spirit of a fair go’. A variation of this theme, I suppose, is something that we all are familiar with—that we are saying that all of us have grown up with—and that is ‘a fair day’s work for a fair day’s pay’. Fairness is something that the Australian government itself may have a difficult time in establishing as one of its characteristics or even interests. A prospective citizen may look at this government’s legislative agenda over recent months and the way that its attitude to fairness has been absorbed and implemented since the introduction of the government’s new IR policies. What would the prospective citizen see as demonstrating fairness?

The government’s view of what constitutes fairness can be seen in its shredding of the old Workplace Relations Act 1996, specifically in relation to the establishment of the minimum but fair wage. Now the government’s view of fairness is demonstrated in its new legislation’s dismissal of fairness as a criterion and its use of the term as a brand name, highly deceptive of its intent. The government went well out of its way to strip the concept of fairness from that which was charged with establishing a fair day’s pay for a fair day’s work. This government’s demonstration of fairness and values is evident in its approach to workplace democracy, and this is the example of Australian fairness that new Australians experience when entering the Australian workforce for the first time. This is the meaning of an Australian fair go that people will experience day after day through the workplace. No number or size of Australia Day ceremonies or parades will make up for the attack on fairness that people in this country are currently experiencing the effects of, every single working day, potentially for years to come. If anyone wants to talk about Australian values, they cannot include the Australian government. There are few organisations integral to this nation that are less Australian than the current Australian government and its Work Choices legislation.

Turning back to the bill, I think it can be said that much of its content is unobjectionable. In relation to the resumption of citizenship, I note that the bill does not provide for the resumption of citizenship by children whose parents have knowingly renounced their Australian citizenship. This is patently unfair, and it has been an ongoing issue of concern, particularly to the Maltese community, many of whom reside in the electorate of Hindmarsh. It is a concern that I share as well. The injustice of this situation was recognised by the former minister in a speech to the Sydney Institute, where he undertook to remedy the situation at the earliest opportunity. However, there is nothing that addresses this concern. In the light of the government’s failure to act, Labor has sought an amendment to clause 21 of the bill to deliver on this broken promise.

At the moment there are a few vocal people in Australia who are indulging in a myth of a monoculture. It is unfortunate that they are pushing against the reality that multicultural Australia exists and that being an Australian who has links with another nation is about as Australian as you can get. Our local libraries are filled with Australians tracing their family trees, with people sometimes finding out funny things about their background. One of my constituents who looked up their family tree told me about a Cornish great-great-grandmother who was in love with an Afghan camel trader. So whether you research your Welsh, Irish, Italian, Greek or Vietnamese heritage, it makes little difference. With the exception of Indigenous Australians, our people have been here in this great country for only a few generations.

Australia’s multiculturalism is a model for other nations around the world. It is an advantage that the great majority of us have been here for only a few generations. As I said earlier,
we do not have ancient hatreds, and as such we can live together as one nation. I am alarmed by the suggestion by some that multiculturalism is not working. It is a part of what this country is, and it has been a part of Australia for the past 200 years. To anyone who thinks that multiculturalism is not a success, I ask this one question: is Australia a success? Clearly, the answer is yes. Because Australia and multiculturalism are so thoroughly entwined, it follows that multiculturalism is also a great success.

Mrs IRWIN (Fowler) (8.26 pm)—The concept of citizenship as we know it is quite different in Australia today than it was in the original 1948 act. When we say that the world has changed a lot in the last 58 years, we are also saying that the identity of the individual which relates to his or her citizenship has also changed. Many of the effects of these changes are reflected in the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005, including in the provisions for people who have lost their Australian citizenship as a result of acquiring or retaining the citizenship of another country.

We need to begin by acknowledging that, since 1948, the greater proportion of migrants to Australia have not been British subjects and as a result they have, for a range of reasons, retained links with their homeland or the homeland of their parents. But, most significantly, Australia now exists as a part of a so-called globalised world. In trade and communications, national boundaries have less and less meaning. Free trade agreements, reductions in tariffs, easing of restrictions on international trade and the removal of barriers to finance and commerce have changed our ideas of any economic loyalty. Today we assume that business and investment decisions are based on considerations of financial return without regard for national interests in all but the most exceptional cases.

At the same time, we find that more than one million Australian citizens live and work overseas. That figure is growing rapidly every year. We also find that the number of migrants to Australia, particularly skilled migrants, is growing, and of course we have rapid growth in 457 working visa entries. All of this could cause us to question not so much what it means to be an Australian citizen but what it means to be a citizen of any nation.

I recently met with a person of dual Australian and Italian citizenship who was also seeking citizenship of an Asian country. The reasons for this multiple citizenship were very much about convenience and the rights of each country’s laws and treaties. His Italian citizenship gave him access to work and business opportunities in the European Community, while his Thai citizenship allowed him to own property and conduct a business in Thailand. Passports these days are a bit like credit cards; you carry a number of them to be sure that you will have at least one which is accepted in each country. As a result of free trade, footloose capital, global labour markets and economic unions such as the European Community, citizenship of one country must be defined and understood to have a quite different meaning to what was applied half a century ago.

As I said at the beginning, this bill gives some recognition to these changes. But, when it comes to the big question of just what citizenship is, we need to go back to the drawing board and come up with a definition which will work in the 21st century. Much of the debate about citizenship has been centred on the issue of dual citizenship. The main argument against allowing dual citizenship has been that a person cannot owe allegiance to more than one country and that a person should be totally committed in an emotional and legal sense to one coun-
try. But, as I have already said, the demands of a globalised world make dual or even multiple
citizenships advantageous to a great many Australians.

If we accept that for reasons of employment or business dual citizenship is acceptable, how
far should we go in demanding allegiance to Australia? Our pledge of citizenship would sug-
gest that we make a total commitment in an emotional and legal sense to Australia. But in the
case of dual citizenship I have to ask whether that means a half or a total commitment—and
does that commitment mean that Australian citizens holding citizenship with another country
should be prohibited from engaging in certain activities outside Australia?

My attention was recently drawn to the tragic death of Asaf Namer, a 27-year-old from
Bondi. He was an Australian citizen holding dual citizenship with Israel. Namer was under-
taking military service as a sergeant in the Israeli army when he was killed in the war in
Lebanon. While we seem to excuse service in Israeli Defence Forces, I wonder whether we
would take the same stand if an Australian holding dual citizenship in another country did the
same thing. Would they be regarded in the same way? I know of a number of young Austra-
lian citizens in my electorate of Fowler who have served in the Lebanese army and the armed
forces of Syria. While I do not know if they have been involved in any conflict—to my
knowledge they have not been—I would ask if their service would be regarded in the same
way as Asaf Namer’s, who served in the Israeli army.

Having raised that issue, though, I must say that I can appreciate the motives of many
young people to leave Australia to follow a career overseas. As we have seen fewer opportuni-
ties for Australians in many areas of research and the arts, it is not surprising that they should
look overseas for work and for study. That has been happening for some time. As I said ear-
lier, one million Australian citizens now live outside Australia. They might still call Australia
home—the majority of them do—but their participation in other countries is often a full
commitment. In a broader sense we should see this as part of the global labour market.

For the many Australians working in manufacturing, in computer software, in call centres
and in financial services, who have seen tens of thousands of jobs disappear overseas—and
we have lost tens of thousands of jobs overseas—it is hard to understand how they can main-
tain a total commitment in an emotional and legal sense to Australia. It is all very well to give
examples of national sporting teams, but in the world competition for investment and jobs
Australia’s team management seems to be playing for the other side. When it comes to loyalty
to one’s country and having a total emotional and legal commitment, corporate Australia is
not proving to be a model citizen. Many companies have shown, through their offshore deal-
ings to minimise taxes paid in Australia, that their first loyalty is to their shareholders.

When it comes to what we value about Australian citizenship, I believe that we have vari-
ous levels of commitment to Australia and, as a result, our citizenship laws should reflect the
fact that not everyone holding Australian citizenship can place his or her hand over their heart
and say that they have a 100 per cent commitment to Australia in an emotional and legal
sense. That is not to say that they are not Australians or, for that matter, that they are not good
Australians.

But before we all wrap ourselves in the flag and start singing the national anthem, we do
need to acknowledge the realities of the world in the 21st century. There are the measures in-
cluded in this bill for reasons related to antiterrorism, though the increase in the waiting pe-
riod from two to three years for citizenship does concern me. Like many members, I regularly
attend citizenship ceremonies and I know that in many cases the new citizens are anxious to become Australian citizens as soon as possible. Many who have been refugees and others who have married Australian citizens have good reasons to become citizens of this great country of ours. Often the need to travel overseas under the protection of an Australian passport is an important reason. While I can understand the implications of this for persons engaged in terrorist activities, I know that the change will cause disruption and concern to many permanent residents awaiting citizenship.

I fully support the Labor amendment which seeks to maintain the present two-year waiting period for people who are currently permanent residents. I would also question the changes to the age limit for English language knowledge. While I support the need for Australians to learn English so that they may function as part of our society, I am not convinced that excluding people, particularly older residents, is in our best interest in the long run.

As I see in my electorate of Fowler, settling in a new country is not an easy process. For many permanent residents, the priorities of finding a home and a job are the highest on the list. While knowledge of English can help, it is often difficult to find the time to attend formal classes. So learning English is left till later. It is also difficult for women, who often do not participate in the workforce in their early years in Australia. As their mother language is often spoken in the home, they can be much slower to improve their English skills.

I see among the older people in my electorate that they have poor English skills today because their earlier years were devoted to the struggle to establish themselves and their families here in Australia. They have gone on to contribute greatly to our society and I would definitely count them as some of the best Australians that we have. But it would be wrong to deny them citizenship on the grounds that their English is poor. They have survived, and in many cases thrived, in their new country without what some would call good English. They have managed to get by, with help when it was needed; they have been able to participate in the community and they have done so to their fullest.

The measures in this bill to allow citizens who renounced their citizenship under section 17 to seek to renew their citizenship are most welcome. In earlier changes to the Citizenship Act which allowed dual citizenship there was an ongoing problem: Australians citizens who had previously renounced their Australian citizenship in order to take the citizenship of another country were left without the opportunity to readily renew their Australian citizenship. This was often necessary for migrants from countries which were part of the old Soviet Union or the former Yugoslavia. Because they did not have a residual citizenship, they were requested to renounce their Australian citizenship. This was often necessary for family, business and property inheritance reasons. These changes will allow many of those citizens to readily resume their Australian citizenship. I also note the special case of children of Australians who renounced their Australian citizenship in Malta and indicate my support for Labor’s amendment to include the children of former Australian citizens who lost their citizenship under section 18 of the old act.

In reviewing the Citizenship Act, we have had the opportunity to correct some of the long-standing provisions which, in the light of changes in recent years, have needed to be modified. But, at a time when some in this parliament want to push their ideas of what Australian values should be and to enshrine those values in statements of allegiance, I feel that we are definitely missing the real issues of citizenship and what the concept of citizenship will be in the years
ahead. We have not reached the stage where we are citizens of the world, but we do find that many Australian citizens spend much of their time outside Australia and many are involved in the affairs of other nations. I would point out that a number of Australian citizens and residents serve as representatives in the parliaments of other countries. We recently had Australians elected to the Italian parliament and another Australian serving as a governor in Afghanistan. So at some time we will have to rethink our ideas about what it is to be an Australian citizen, not what it is to be Australian or what are Australian values. We will have to separate our concepts of each. In the meantime, we will need to ensure that Australia’s citizenship laws do not prevent Australians from playing a role in an increasingly globalised world.

Mr GARRETT (Kingsford Smith) (8.42 pm)—I have listened with a good deal of interest to the contributions that members have made as they address the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005 and I very much endorse the comments of Labor members who have made a contribution to the debate on this legislation. There has certainly been a great need for the Citizenship Act 1948 to be rewritten and it is important that legislation comes forward which allows citizenship for many people who had lost it or did not have access to it due to former restrictions on dual citizenship. A number of speakers would already have mentioned the situation faced in particular by people from the Maltese community, people who have adopted children from overseas, people from a Papua New Guinean background and others who were disadvantaged by the legislation as it stood. This is an issue that Labor has been alert to. At the last national conference a resolution was passed to the effect that Labor will streamline the citizenship resumption arrangements for those who lost citizenship as a result of previous provisions on dual citizenship in Australian and Maltese law in particular, in recognition of the problems and the difficulties that the Maltese community was facing. There are a number of amendments that the shadow minister has moved which we are urging upon the government. In the general discussion about citizenship, a number of speakers have mentioned the fact that we are now living in a vastly changed environment to that in which we previously lived and which people had experienced on coming to live in Australia in the past.

The whole issue of citizenship is now being opened up into a discussion about the nature of citizenship rights and responsibilities in the modern democratic state and in the light of international developments that are threatening to many people in this country, including issues of security that attach to the prospect of terrorism; issues to do with different cultures making their way, bringing up their children, educating their children and expressing their religious preference in terms of worship in the country; and, most recently, some of the controversy in respect of comments that have been made by religious leaders, including Muslim religious leaders. I will speak a little later on about that aspect of it, but for the moment note that from our perspective it is particularly important that the government does not use the issue of citizenship as a way of continuing a political campaign about the appropriate policies that we ought to have, as executed by any government regardless of its political persuasion, in the country in respect of issues of citizenship and people’s participation in the life of the nation.

As far as the current bill is concerned, I note that the permanent residency requirements have been extended from two to four years; that Australian citizens who have renounced their citizenship under section 17 of the act can resume their citizenship if they are of good character; that children of former Australian citizens who lost their citizenship under section 17 of
the old act, which I referred to briefly earlier, can acquire citizenship by conferral; that the new provisions will prohibit the approval of a citizenship applicant who is assessed by ASIO as a security risk, and there have been some informed contributions made on that particular provision already by members; and other measures, including that the age for an exemption from the requirement to have a basic knowledge of the English language has been raised from 50 to 60; that the minister must not approve the person becoming an Australian citizen unless the minister is satisfied of their identity; and a number of other issues as well.

The bill also encompasses changes made to the old act in July 2004 and on 14 September 2005 and 19 September 2005. These are two proposals that relate to issues of antiterrorism, as described by the Prime Minister, and they are: extending the waiting period for citizenship from two to three years, security checks before citizenship is approved and provision for increased personal identifiers.

Labor has said that it will not support policy that delays people from committing to our values in the citizenship ceremony. Neither do we see any good reason for a change in extension of the period from three to four years. There is no doubt that by making people wait four years before they make a commitment to our way of life we are simply extending a burden which seems to be, with respect to the difference between three and four years, unnecessarily onerous. There has been, as I mentioned before, significant comment about the effect that the old legislation did have on people from the Maltese community, and it is appropriate that they should be taken into account in this bill and that is certainly supported by Labor.

In the context of this bill coming into the House, a number of other matters have been raised in relation to citizenship. The most obvious one is the discussion paper on Australian citizenship that the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs released in September, which canvassed the option of a formal citizenship test and raised a number of possible components for a test: a written English test, test on a person’s knowledge of Australia, compulsory questions on responsibilities and privileges and so on.

I have to say that I think there are some strong arguments to support the idea of an enlarged citizenship test for people seeking citizenship in this country. I think there is a strong case to invest citizenship with greater meaning generally. Certainly, because the circumstances of culture and history are changing and evolving and the challenges that we do face in the country in relation to making certain that when they come here people are able to embrace full citizenship, fully understanding and comprehending those particular unique aspects of Australia’s way of life and also the responsibilities that attach to it, I think there is some merit in having a discussion about that.

But the idea of citizenship and what constitutes a good citizen has been around for a very long period of time. As I am sure you would be well aware, Mr Deputy Speaker Jenkins, it was something that Plato and others discussed in the ancient times. They discussed it, wrote about it and talked about it. There is no question that embedded in the idea of citizenship is the notion of a full, open and participatory democracy. This is effectively the most essential element of what being a citizen in a democracy is all about. Just as citizens, as individuals, as sovereign persons within the nation-state or the community, have rights and responsibilities, so the idea of the state itself is imbued with a kind of citizenship, and there is an expectation that power attaches to the state—in this case to determine what conditions or otherwise ought to be applied to people who come into a country—and so the state itself has an a priori re-
responsibility and, I would argue, a duty to espouse citizenship as well, and not only to espouse it but to give evidence on it.

So, as we consider the issues of citizenship and as we consider amplifying the idea of what it means to apply for citizenship in Australia, we have to do that in a way which is consistent with our democratic traditions, consistent with our understanding of what a citizen is—in terms of both the individual citizen and the citizenship that is embedded in the nation—which is consistent with our common-law principles and which is consistent with our international obligations, the treaties and conventions which the Australian nation as an international citizen has signed. It must be in that context—not just the narrow context of trying to identify the kind of person you may or may not like to apply for citizenship—that we should have this debate.

It is absolutely critical that conflating a debate about culture or about desirable characteristics of a citizen—debates that have concerns about terrorism attached to them and debates which can be manipulated by governments and manipulated through the media—does not get in the way of sensible proposals and a sensible and rational discussion about what citizenship, if it is going to be enlarged in the context of people applying for Australian citizenship, is all about. I think it is absolutely critical for those of us that are elected to office here, whether we are in the government or whether we are in opposition, to bear that in mind as we consider and discuss this issue.

I want to make an additional point in relation to citizenship. I have not had the opportunity to listen to all the contributions to the debate, and it may be that some members have already raised this. If that is the case, I will be going over well-trodden ground; nevertheless, I think it is important. Next year sees the 40th anniversary of the referendum whereby Indigenous people of this country were recognised by the Australian Constitution. Even though they really did have a right to vote earlier on, it was only in 1967 that they were effectively able to claim their citizenship as a constitutional recognition in the federation. I think that gives us due cause to pause and reflect on what the idea of citizenship really is about. It has been defined—and I think it is a reasonable definition—as a conferring of benefits to which certain responsibilities attach. I would simply say, speaking to this citizenship legislation, that I think there is still a deeper and more important question about the nature of Indigenous citizenship in this country, given that the conferring of benefits that would normally be identified as flowing to them as citizens in actual fact has not occurred or taken place. I do know that there are a number of Indigenous leaders and others who have reflected on this on occasions such as this, when legislation comes through the House, and will certainly be reflecting upon it next year when the 1967 referendum anniversary takes place.

To the extent that all Australians are equal under the law, yes, Indigenous Australians could consider themselves Australian citizens. To the extent that they both have access to and receive the benefits that go with Australian citizenship, I think there is a very strong argument to suggest that that is not the case. Mr Deputy Speaker, Aboriginal and Torres Strait Islanders—as I know you and other members are well aware—have a life expectancy approximately 17 years shorter than non-Indigenous people. Aboriginal and Torres Strait Islander women are twice as likely to have low birth weight babies. The rate of communicable diseases is over 90 times higher amongst Aboriginal and Torres Strait Islander people than amongst non-Indigenous people. This is in a country where individual Australians on a per capita basis
have never been wealthier. So I ask a simple question: is the citizenship that Indigenous people are experiencing at this point in time consistent with the benefits that we would expect to be conferred upon Indigenous people as a consequence?

There is a final point that attaches to this issue and to considering this legislation, and it is simply this: citizenship in itself is something which can only be exercised fruitfully and fully if the rights that people have within the nation are properly protected. There is no doubt that whilst it is desirable for people who are coming into the country to have a good and clear sense of democratic traditions, a good understanding of our language and a commitment to the democratic ideals that we all share, it is equally important for us to be very cognisant of the fact that many of the democratic rights that we take for granted are in no way guaranteed under our system of government. There has been a very fruitful discussion, which has fallen on barren ground over the last five to 10 years, about whether or not Australia, in order to properly have citizenship rights protected, ought to have a bill of rights. I want to give notice that I think that is a debate that we ought to re-energise in this parliament.

A citizenship ceremony is a wonderful thing, as I and all members know. Those who are seeking to become citizens of Australia take this ceremony very seriously. They recognise not only the great and very meaningful symbolism but also the practical effect that taking that step actually has upon them, and subsequently upon their families. So that is a big step that people take, and it is an extremely important one in the context of someone coming from one country to another. Those of us who are Australian citizens at this point in time, along with those who come to this country, need to remember that our citizenship depends very much on our rights being protected, particularly under law—and, I would argue, also through the Constitution. It also depends on us exercising our responsibilities of respect for the rule of law, observance of the rules of the Commonwealth and a commitment to participate fully in the life of the nation. On that basis, I shall conclude my remarks.

Debate (on motion by Mr Wakelin) adjourned.

Main Committee adjourned at 9 pm
QUESTIONS IN WRITING

Illegal Fishing
(Question No. 2645)

Mr McClelland asked the Minister representing the Minister for Justice and Customs, in writing, on 28 November 2005:

Would the Minister update the answer to question No. 3575 (Hansard, 3 August 2004, page 32009).

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) Between 1 April 2004 and 31 December 2005, there were 7,530 reports by Coastwatch aircraft and Defence assets of sightings of vessels in the Australian Exclusive Economic Zone suspected of being in breach of fisheries laws. This figure does not, however, represent the actual number of vessels fishing illegally as, in areas of concentrated aerial surveillance, the same vessel may be sighted and counted by multiple flights. It should be noted that vessels sighted may also include those that could be fishing lawfully or are legitimately transiting Australian waters. Of the sightings reports, 839 vessels were confirmed as fishing illegally.

(2) Of the 839 vessels, 414 were apprehended and 3226 crew were detained. The remaining 425 had all of their catch and fishing equipment destroyed.

(3) Of the 414 vessels that were apprehended, 63 were released on payment of bonds.

Taxation
(Question No. 3121)

Mr Fitzgibbon asked the Minister for Revenue and Assistant Treasurer, in writing, on 27 February 2006:

(1) In respect of the (a) mature Australian tax offset and (b) entrepreneurial tax offset, (i) how many and (ii) what proportion of taxpayers have claimed it and (iii) what has been the cost to revenue.

(2) How many small businesses have adopted the Simplified Tax System (STS), since its introduction in 2001.

(3) How many had been expected to adopt the STS when it was introduced.

(4) Is he aware of complaints that the STS does not reduce compliance costs.

(5) Has research been undertaken to determine why the take-up rate of the STS has been so poor; if so, what were the findings.

(6) How has the STS been promoted within the small business sector and what sum has been spent on its promotion.

(7) Has any consideration been given to further simplifying the STS.

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

(1) (a) The Mature Age Worker Tax Offset was implemented on 1 July 2004. Processing of income tax returns relating to the 2004/05 income year is not yet complete. For income tax returns relating to the 2004/05 income year, processed by 30 June 2006:

(i) Around 1,034,000 individual taxpayers had claimed the mature age worker tax offset;

(ii) 9.55% of total individuals have claimed the offset; and

(iii) Individual taxpayers were allowed around $437 million of Mature Age Worker Tax Offset.
(b) (i), (ii) and (iii) Details of claims for the entrepreneurs tax offset (ETO) will not be available until tax returns for the income year ending 30 June 2006 have been lodged. This is because the ETO first applies to tax assessments for the income year that commences on or after 1 July 2005.

(2) More than 600,000 taxpayers have elected into the simplified tax system since its introduction. As a result of legislative changes to or associated with the STS which came into effect from 1 July 2005, (i.e. accrual accounting method, entrepreneurs tax offset and shortened period of review), we expect to see an increase in take-up when 2006 income tax returns are lodged.

(3) The Review of Business Taxation – A Tax System Redesigned (July 1999) says (at page 74) “Over 95 percent of businesses have annual turnover below $1 million representing 850,000.” Costings used in the report were based on the assumption that 60% of these taxpayers would take up the option of a simplified tax system. It was not expected that all eligible taxpayers would benefit from the STS or elect into it.

(4) Whilst the STS has reduced costs from the outset, the Government has continued to respond to community feedback and has modified the system to increase both its accessibility and its benefits.

(5) The ATO did contact a number of accountants who were not recommending the STS to their clients to understand their concerns. One major concern was that the STS previously required taxpayers to adopt a cash accounting system whilst financiers required accrual accounts to be kept for their purposes. The system has since been changed to allow the use of either the case or accruals accounting method.

(6) The simplified tax system was originally promoted to all businesses through the media and targeted education of tax practitioners.

The ATO has released a broad range of products on the simplified tax system to assist taxpayers and practitioners. These are available on the ATO web site; www.ato.gov.au, and many are available in paper form.

Products included a decision support tool STS – is it for you to help taxpayers assess their eligibility and calculate the potential benefits from electing into the simplified tax system.

Further promotion of the simplified tax system and the entrepreneurs tax offset was undertaken in May and June 2006. Tax agents and related intermediaries were the major focus of this campaign, and supportive promotional activities such as placing advertorials in the Taxation Institute of Australia’s Taxation in Australia Journal and Tax Agent Newsletter published on the ATO’s website at www.ato.gov.au, as well as presentations in the ATO’s June 2006 Satellite Seminar were undertaken. All simplified tax system and Tax Time 2006 products were updated and a specific fact sheet on the entrepreneurs tax offset was incorporated into both product sets.

Amounts spent on media campaigns were $280,000 in 2002 and $250,000 in 2003.

Product and staffing costs are part of the ATO’s day to day operational costs and have not been separately quantified.

(7) The Government announced a number of measures in the 2006-07 Budget to assist small businesses by improving the alignment of eligibility thresholds for small business concessions and increasing access to the STS and small business capital gains tax (CGT) concessions. The measures include changes to:

- increase the STS average annual turnover threshold from $1 million to $2 million and remove the $3 million depreciating assets test from the STS eligibility requirements.
- increase the net assets threshold from $5 million to $6 million for the CGT small business concessions and allow STS taxpayers to be eligible for the concessions without having to satisfy the net assets threshold;
• increase the cash accounting turnover threshold from $1 million to $2 million for the goods and services tax (GST) concessions for small businesses and align certain GST definitions of turnover with the STS definition; and
• allow STS taxpayers to pay quarterly pay as you go instalments on the basis of GDP-adjusted notional tax.

Chifley Electorate: Programs and Services
(Question No. 3205)

Mr Price asked the Minister for Health and Ageing, in writing, on 27 March 2006:

(1) What programs and services do the department and each agency in the Minister’s portfolio provide for Indigenous communities and individuals in the electoral division of Chifley.
(2) In respect of each program, (a) what sum is spent annually (i) nationally and (ii) in the electoral division of Chifley and (b) how many people is it intended to assist (i) nationally and (ii) in the electoral division of Chifley.

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

(1) The Department of Health and Ageing (DoHA) administers a wide range of programs and services available to Indigenous communities and individuals. A summary of DOHA’s health programs and initiatives for Aboriginal and Torres Strait Islander people can be found on the department’s website at:
This webpage provides details of progress on the implementation of DOHA’s Indigenous specific and non specific health programs impacting upon Aboriginal and Torres Strait Islander peoples.
The Department’s Office for Aboriginal and Torres Strait Islander Health (OATSIH) provides funding for the following programs available to Aboriginal and Torres Strait Islanders in the electorate of Chifley:
• Bringing Them Home
• Primary Health Care Services
• Child and Maternal Health
• Mental Health
• Substance Use

General Practice Education and Training (GPET) has developed a Framework for General Practice Training in Aboriginal and Torres Strait Islander Health. It provides a flexible planning framework to support best practice in Aboriginal and Torres Strait Islander health training for registrars undertaking vocational training in general practice. This national program includes Daruk Aboriginal Medical Service (AMS) which is located in Mt Druitt in the electorate of Chifley.

GPET also reimburses the salaries of General Practice Registrars undertaking a training term in an AMS through funding provided by DoHA from the Medicare Training Pool. This funding is provided to assist the registrar undertaking training, the Daruk AMS in the electorate of Chifley, and Aboriginal and Torres Strait Islander people who are clients of Daruk AMS.

(2) (a) (i) In 2004-05, the department spent $265.5 million on Outcome 7 – Aboriginal and Torres Strait Islander Health. Of the Indigenous programs that are available in Chifley, the department spent $161.3 million nationally in the 2004-05 financial year (see Attachment A), GPET spent $4.7 million nationally during the 2005 calendar year. This amount includes funding for training as part of the Framework for General Practice Training in Aboriginal and Torres Strait
Islander Health, and the reimbursement of annual salaries of General Practice Registrars undertaking a training term in an AMS.

(ii) It is not appropriate to provide funding information on Indigenous programs at the electorate level as this data may compromise the financial privacy of some community groups and/or individuals.

(b) (i) At the 2001 Census, approximately 2.2 per cent of the Australian population identified as Indigenous.

(ii) The electorate of Chifley has an estimated population of 150,400 as at 30 June 2004. At the 2001 Census, approximately 3.5 per cent of the population of Chifley identified as Indigenous.

It is important to note that some Chifley residents would receive assistance from services outside this electorate, and similarly services located in this electorate may provide assistance to people living in other electorates.

Attachment A

Total Department of Health and Ageing expenditure on Indigenous programs through OATSIH that are funded in the electorate of Chifley in 2004-05.

<table>
<thead>
<tr>
<th>Program</th>
<th>Expenditure Australia wide</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bringing Them Home</td>
<td>$12,287,927</td>
</tr>
<tr>
<td>Primary Health Care Services</td>
<td>$119,184,503</td>
</tr>
<tr>
<td>Child and Maternal Health</td>
<td>$3,302,421</td>
</tr>
<tr>
<td>Mental Health</td>
<td>$6,001,500</td>
</tr>
<tr>
<td>Substance Use</td>
<td>$20,565,773</td>
</tr>
<tr>
<td>Total</td>
<td>$161,342,124</td>
</tr>
</tbody>
</table>

Chifley Electorate: Programs and Services

(Question No. 3209)

Mr Price asked the Minister for Defence, in writing, on 27 March 2006:

(1) What programs and services do the department and each agency in the Minister’s portfolio provide for indigenous communities and individuals in the electoral division of Chifley.

(2) In respect of each program, (a) what sum is spent annually (i) nationally and (ii) in the electoral division of Chifley and (b) how many people is it intended to assist (i) nationally and (ii) in the electoral division of Chifley.

Dr Nelson—The answer to the honourable member’s question is as follows:

(1) Defence does not directly provide any program or service to the Indigenous Community in the electorate of Chifley. Defence does, however, provide national support to the Indigenous Community through the Aboriginal and Torres Strait Islander Program (ATSIP), the Australian Army Community Assistance Project (AACAP), the Australian Defence Force Cadets – Indigenous Participation Program; and the Indigenous Liaison Officers Program.

(2) ATSIP:

(a) The amount spent annually is:

   (i) $142,000 (ex GST) nationally.

   (ii) Nil in Chifley.

(b) The number of people this program is intended to assist is:

   (i) There is no target or set limit on the number of people that can be employed by Defence. Groups within Defence identify available positions on an annual basis and then select...
from the Australian Public Service Commission’s pool of applicants. Eleven people are currently employed under this program.

(ii) There is no set allocation of positions by electorate.

**AACAP:**
(a) The amount spent annually is:
   (i) $3,500,000 (ex GST) nationally.
   (ii) Nil in Chifley.
(b) The number of people this program is intended to assist is:
   (i) This project is aimed at assisting the wider Indigenous Community. There is no way to gauge the number of Indigenous Australians that benefit from this initiative.
   (ii) There are no planned projects for Indigenous Australians from the electoral division of Chifley.

**Australian Defence Force Cadets – Indigenous Participation Program:**
(a) The amount spent annually is:
   (i) $270,000 (ex GST) nationally.
   (ii) Nil in Chifley.
(b) The number of people this program is intended to assist is:
   (i) There are two Indigenous Liaison Officers working with the ADF Cadets program, one in Darwin and one in Townsville.
   (ii) Nil in Chifley.

**Indigenous Liaison Officers Program:**
(a) The amount spent annually is:
   (i) $232,633 (ex GST) nationally.
   (ii) Nil in Chifley.
(b) The number of people this program is intended to assist is:
   (i) There are currently four liaison officers dedicated to this program. As with the AACAP program, this program is aimed at the wider Indigenous community, and as a result it is difficult to gauge the number of Indigenous Australians that benefit from this program.
   (ii) Nil in Chifley.

**Live Animal Exports**
(Question No. 3652)
Mr Murphy asked the Minister for Trade, in writing, on 15 June 2006:

(1) Further to the answer to question No. 3484 (Hansard, 13 June 2006, page 147), does the Memorandum of Understanding on the Trade in Live Animals contain conditions relating to (a) the transportation of live animals, (b) slaughter practices, and (c) animal handling and facilities; if so, what are the details of those conditions; if not, why not.

(2) What is the legal status of the Memorandum of Understanding on the Trade in Live Animals between Australia and countries in the Middle East.

(3) In respect of Australia’s live export trade with countries in the Middle East, (a) which of those countries are not yet signatories to the Memorandum of Understanding on the Trade in Live Animals, (b) when will negotiations with those countries be completed, and (c) can he ensure that no
Australian animals currently exported to those countries will be subjected to acts of cruelty or acts in breach of World Animal Health Authority guidelines.

(4) Will signatories to the Memorandum of Understanding on the Trade in Live Animals be subject to random, independent inspections to ensure compliance with the Memorandum of Understanding’s conditions; if not, why not; if so, what are those details.

(5) Has he read a report by Animals Australia titled Middle East Investigation Report, which has found no discernable improvement in animal welfare practices in Bahrain, Kuwait, Qatar, Oman and Egypt despite Australia’s presence in these industries; if not, why not; if so, what is his response.

(6) Can he ensure that no Australian animals exported to the Middle East will, in future, be subjected to acts of cruelty or acts in breach of World Animal Health Authority guidelines; if not, why will not the Government ban live animal exports.

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

(1) (a) The MOU does contain conditions relating to the transportation of live animals.
    (b) The MOU does not contain information relating to slaughter practices.
    (c) The MOU does contain information to the extent that it obliges members to follow measures as outlined under the World Organisation for Animal Health guidelines for animal welfare.

(2) The MOU on the Trade in Live Animals is an arrangement between governments and sets out a variety of commitments. The Australian Government and the Middle East signatories are committed to the content of the MOU, and whilst considered politically and morally binding, it is not a treaty and as such does not have legal force.

(3) (a) Bahrain, Oman, Qatar, Egypt, Israel, Lebanon.
    (b) Negotiations for the MOU will be completed as soon as is feasible.
    (c) Australia, like all members of the World Organisation for Animal Health (the OIE), is working to ensure animals are treated humanely and is determined to do its part to eliminate cruelty to animals. The Australian government and livestock export industry take animal welfare issues very seriously and have been working with countries in the Middle East to support efforts to improve animal handling and facilities, from offloading at the port until the point of slaughter.

(4) If the MOU were activated, inspections would be carried out upon the consent of both parties.

(5) The government has been kept informed of animal welfare concerns in Middle East markets. The government has suspended the live animal trade to Egypt pending agreement concerning the post-arrival animal welfare and handling of Australian live animals imported into Egypt. The resident Australian government veterinarian based in the Middle East is actively engaging key trading partners on animal welfare issues.

(6) See 3(c).

National Security
(Question No. 3792)

Mr Bevis asked the Attorney-General, in writing, on 8 August 2006:

(1) At each Australian (a) international and (b) domestic airport, what percentage of checked passenger luggage is inspected by x-ray.

(2) At Australian maritime ports, what percentage of shipping containers is (a) inspected by x-ray and/or (b) scanned for radiological materials.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:
(1) The responsibility for the x-ray of checked passenger luggage (both international and domestic) rests with the airlines. As such, the Australian Customs Service does not keep this type of information. The relevant policy department is Transport and Regional Services who will be able to assist in answering this question.

(2) (a) During the 2005 calendar year, Customs inspected (X-rayed) 138,136 Twenty-foot Equivalent Units (TEUs) nationally. Inspections occurred at the Container Examination Facilities (CEFs) in Sydney, Melbourne, Brisbane, Fremantle and Adelaide, and at the Container Examination Building in Darwin. The facilities Customs has built integrate x-ray with physical examination, other law enforcement and regulatory agency activity, and the necessary interactions with industry. The Customs facilities also integrate x-ray with a range of other technologies. In addition to a powerful container x-ray, the facilities utilise pallet and mobile x-ray units, ion scan technology, detector dogs, and radiation chemical warfare agent detectors. Between the container examination initiative commencing in November 2002 and 31 July 2006, over 393,000 TEUs have been x-rayed. Prior to the container x-ray strategy, between 4,000 and 5,000 TEU per annum were examined by the equivalent area in Customs. Customs continues to risk assess all sea cargo entering Australia.

(b) Customs Standard Operating Procedures stipulate that a hand-held radiation detector is used at each CEF to measure radiation levels when containers are checked in for an X-ray. Customs intends conducting trials of radiation portal technology in the 2006-07 financial year.

Australia Business Arts Foundation: Funding
(Question No. 3875)

Mr Garrett asked the Minister representing the Minister for the Arts and Sport, in writing, on 9 August 2006:

In respect of the decision to provide additional funding of $500,000 to the Australia Business Arts Foundation (AbaF) for 2006–07 to develop a “training package to help visual artists work more closely with the commercial arts market”, (a) what consultations were held with industry peak bodies and other arts organisations, (b) was there a commitment to tender the delivery of these services, specifically in relation to visual artists’ training, (c) which organisations other than AbaF were considered for this program, (d) what criteria were used to assess the effectiveness and suitability of AbaF as the provider of these services, (e) what were the reasons for choosing AbaF, (f) is there capacity for AbaF to charge artists for participating in these training programs, and (g) is the extra funding of $600,000 to “strengthen AbaF’s core activities” appropriated from the government’s budget commitment of $6 million over four years to “assist individual artists to build their commercial, marketplace and business skills”?

Mr McGauran—The Minister for the Arts and Sport has provided the following answer to the honourable member’s question:

(a) (b), (c), (e) My Department provided advice on a variety of options for the allocation of this funding, including an open tender process. I accepted the advice that providing the funding to AbaF to manage would be the most efficient and effective use of the funding. AbaF already provides business training around Australia through a number of programs that provide practical skills for arts organisations and individual artists. As well as assisting arts organisations in securing partnerships and philanthropic support, AbaF also conducts seminars by experienced professionals on a range of business essentials. AbaF therefore has the capacity to move quickly to modify its existing offering and to develop especially tailored modules. AbaF will be consulting with key stakeholders in the visual arts sector to ensure that the training package accurately reflects the needs of visual artists across the country.
AbaF is well positioned to ensure the training is delivered on a national scale, through its existing network of State offices. Using existing structures and resources will reduce start-up costs and time, thereby maximising the results the initiative can achieve in this financial year. AbaF is also singularly well placed to expand the effect of this funding through its existing partnerships with business.

(d) The ability to provide value for money, existing infrastructure and expertise to deliver training on a national scale, and the potential to leverage extra value from the funding received.

(f) and (g) No.

Consultancy Services
(Question No. 3911)

Mr Bowen asked the Minister representing the Minister for Finance and Administration, in writing, on 14 August 2006:

Has the Minister’s office, or any department or agency in the Minister’s portfolio, engaged any consultant or other form of external assistance in the preparation of any speech to be made by the Minister in the Financial year 2005-06.

Mr Costello—The Minister for Finance and Administration has supplied the following answer to the honourable member’s question:

There has been no specific engagement of any consultant or other form of external assistance in the preparation of any speech made by the Minister in 2005-06 by either the Minister’s Office or any department or agency within the Minister’s portfolio. However, some of the Department of Finance and Administration’s advisers to the T3 sale process have provided input at times to speeches or other public discussions by the Minister, incidental to their advisory role in support of the sale.

Centrelink Offices: Security
(Question No. 3943)

Mr Kelvin Thomson asked the Minister for Human Services, in writing, on 15 August 2006:

(1) How many cases of (a) physical and (b) verbal abuse have been reported in Centrelink offices (i) since 2004 and (ii) for each month since January 2005.

(2) What is the standard response when a case of (a) verbal or (b) physical abuse is reported in one of Centrelink’s offices.

(3) For each year since 2004, please outline the (a) type and (b) number of (i) physical and (ii) non-physical injuries sustained by Centrelink staff due to customer abuse.

(4) How many Centrelink offices have used the services of a security guard in each (a) year since 2004 and (b) month since January 2005.

(5) How many Centrelink offices currently use the services of a security guard.

(6) How many times have duress alarms been activated in Centrelink offices in each (a) year since 2004 and (b) month since January 2005.

(7) How many times have the police been called to Centrelink offices in each (a) year since 2004 and (b) month since January 2005.

(8) What training do Centrelink staff receive to prepare them to deal with incidents of abuse.

(9) What support services are available to Centrelink staff who are the victims of customer abuse.

(10) How many staff have accessed the support services referred to in part (9) in each (a) year since 2004 and (b) month since January 2005.
(11) How many staff have taken leave due to either physical or verbal abuse in each (a) year since 2004 and (b) month since January 2005.

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

(1) (a) The number of customer aggression reports involving physical abuse since 2004, until 31 July 2006, is:

(i) 758

(ii) The table below shows the number of reports involving physical abuse by month since January 2005, until 31 August 2006:

<table>
<thead>
<tr>
<th>Physical abuse Reports</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td>32</td>
<td>19</td>
</tr>
<tr>
<td>Feb</td>
<td>16</td>
<td>17</td>
</tr>
<tr>
<td>Mar</td>
<td>19</td>
<td>23</td>
</tr>
<tr>
<td>Apr</td>
<td>31</td>
<td>19</td>
</tr>
<tr>
<td>May</td>
<td>23</td>
<td>24</td>
</tr>
<tr>
<td>Jun</td>
<td>25</td>
<td>27</td>
</tr>
<tr>
<td>Jul</td>
<td>22</td>
<td>28</td>
</tr>
<tr>
<td>Aug</td>
<td>21</td>
<td>27</td>
</tr>
<tr>
<td>Sep</td>
<td>18</td>
<td>N/A</td>
</tr>
<tr>
<td>Oct</td>
<td>22</td>
<td>N/A</td>
</tr>
<tr>
<td>Nov</td>
<td>28</td>
<td>N/A</td>
</tr>
<tr>
<td>Dec</td>
<td>32</td>
<td>N/A</td>
</tr>
</tbody>
</table>

(b) The total number of reports involving verbal abuse since 2004, until 31 August 2006, is:

(i) 13,322.

(ii) The table below shows the number reports involving verbal abuse by month since January 2005, until 31 August 2006:

<table>
<thead>
<tr>
<th>Verbal Abuse reports</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td>463</td>
<td>426</td>
</tr>
<tr>
<td>Feb</td>
<td>429</td>
<td>356</td>
</tr>
<tr>
<td>Mar</td>
<td>410</td>
<td>395</td>
</tr>
<tr>
<td>Apr</td>
<td>382</td>
<td>288</td>
</tr>
<tr>
<td>May</td>
<td>461</td>
<td>379</td>
</tr>
<tr>
<td>Jun</td>
<td>411</td>
<td>380</td>
</tr>
<tr>
<td>Jul</td>
<td>404</td>
<td>412</td>
</tr>
<tr>
<td>Aug</td>
<td>442</td>
<td>434</td>
</tr>
<tr>
<td>Sep</td>
<td>450</td>
<td>N/A</td>
</tr>
<tr>
<td>Oct</td>
<td>429</td>
<td>N/A</td>
</tr>
<tr>
<td>Nov</td>
<td>445</td>
<td>N/A</td>
</tr>
<tr>
<td>Dec</td>
<td>367</td>
<td>N/A</td>
</tr>
</tbody>
</table>

(2) Centrelink has well-established policies and standard procedures for the prevention and management of customer aggression incidents. Each office has a Local Response Guideline that instructs employees about the action to take in the event of customer aggression.

- Where the response plan is implemented when the duress alarm is activated or the there is an obvious customer aggression incident;
- Managers and team leaders will intervene and the police may be called;
• The employee/s involved may take a break to recover and return to work when they feel confident;
• The employee reports the incident on a Report of Customer Aggression;
• The team leader will follow up with the employee involved and provide advice and implement action to ensure their well-being. This may include immediate consultation with Employee Assistance Programs or Human Resources. The reports are also reviewed by Human Resources personnel, who follow-up and arrange support services as required, and
• In the event of a serious traumatic event professional counsellors will make telephone contact with the employee and/or attend the workplace as soon as possible after the incident to provide support.

(3) The table below shows the number of reports of injury by year by injury type since January 2004:

<table>
<thead>
<tr>
<th>Injury Type</th>
<th>Superficial Injury</th>
<th>Sprains/Strains</th>
<th>Soft Tissue Injury</th>
<th>Fracture</th>
<th>Open Wound</th>
<th>Contusion</th>
<th>Foreign Body/Soft Tissue Injury</th>
<th>Sensory/Ear Injury</th>
<th>Asthma</th>
<th>Hypertension</th>
<th>Heart Condition</th>
<th>Mental Disorders</th>
<th>Nervous Disorder</th>
<th>Other Not Specified</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>10</td>
<td>16</td>
<td>1</td>
<td>0</td>
<td>5</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>68</td>
<td>35</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>9</td>
<td>10</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>53</td>
<td>39</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2006 end</td>
<td>3</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>38</td>
<td>15</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: All injury types are physical apart from Mental and Nervous Disorders.

(4) (a) The number of Centrelink offices that have used the services of a security guard for each year is:
• 2004 - 27;
• 2005 - 26;
• 2006 to July - 29.

(b) The table below shows the number of offices that have used the services of a security guard by month since January 2005, until 31 July 2006:

<table>
<thead>
<tr>
<th>Year</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>22</td>
<td>19</td>
<td>20</td>
<td>21</td>
<td>18</td>
<td>18</td>
<td>18</td>
<td>18</td>
<td>18</td>
<td>18</td>
<td>19</td>
<td>25</td>
</tr>
<tr>
<td>2006</td>
<td>25</td>
<td>20</td>
<td>20</td>
<td>28</td>
<td>22</td>
<td>22</td>
<td>23</td>
<td>22</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

(5) Twenty-two offices currently use the services of a security guard.

(6) (a) The number of times the duress alarm has been activated for each year is:
• 2004 – 942;
• 2005 – 907;
• 2006 to 31 August – 578.

(b) The table below lists the number of times the duress alarm has been used by month since January 2005, until 31 July 2006:

<table>
<thead>
<tr>
<th>Duress Alarm Use</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td>67</td>
<td>68</td>
</tr>
<tr>
<td>Feb</td>
<td>75</td>
<td>58</td>
</tr>
<tr>
<td>Mar</td>
<td>60</td>
<td>72</td>
</tr>
<tr>
<td>Apr</td>
<td>89</td>
<td>53</td>
</tr>
<tr>
<td>May</td>
<td>85</td>
<td>63</td>
</tr>
</tbody>
</table>

QUESTIONS IN WRITING
(7) (a) Police may be called to Centrelink offices as a result of physical or verbal abuse, altercations between customers or damage to property. The number of times that police have been called to Centrelink offices for each year is:

- 2004 – 958;
- 2005 – 873;
- 2006 to 31 August – 521.

(b) Police may be called to Centrelink offices as a result of physical or verbal abuse, altercations between customers or damage to property. The table below shows the number of times that police have been called to Centrelink offices since January 2005, until 31 August 2006:

<table>
<thead>
<tr>
<th>Police Called</th>
<th>Jan - Dec 2005</th>
<th>Jan - Dec 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td>70</td>
<td>57</td>
</tr>
<tr>
<td>Feb</td>
<td>61</td>
<td>40</td>
</tr>
<tr>
<td>March</td>
<td>63</td>
<td>86</td>
</tr>
<tr>
<td>April</td>
<td>80</td>
<td>44</td>
</tr>
<tr>
<td>May</td>
<td>74</td>
<td>57</td>
</tr>
<tr>
<td>June</td>
<td>67</td>
<td>84</td>
</tr>
<tr>
<td>July</td>
<td>56</td>
<td>72</td>
</tr>
<tr>
<td>Aug</td>
<td>85</td>
<td>81</td>
</tr>
<tr>
<td>Sept</td>
<td>77</td>
<td>N/A</td>
</tr>
<tr>
<td>Oct</td>
<td>77</td>
<td>N/A</td>
</tr>
<tr>
<td>Nov</td>
<td>85</td>
<td>N/A</td>
</tr>
<tr>
<td>Dec</td>
<td>78</td>
<td>N/A</td>
</tr>
</tbody>
</table>

(8) Centrelink employees are offered a range of training programs that address customer aggression including:

- Induction training;
- Customer service training, including a Centrelink specific course Dealing with Difficult Situations and Aggression, and
- Training courses in conflict management provided by external training providers.

(9) Centrelink provides support services for employees who experience distress or an injury after experiencing aggression. The method of delivery for support services will vary from location to location but will include:

- Peers and Team Leaders to provide immediate support;
- Professional counsellors who are employed by Centrelink;
- Counsellors provided through Employee Assistance Programs, and
- Rehabilitation services from Comcare accredited providers.
Employees are encouraged to complete a Report of Customer Aggression, to record the physical or verbal abuse. The team leader is required to follow up with the employee and take action to ensure their well-being.

(10) An answer to the question is not available because all employee counselling services are confidential and records of internal counselling and the specific reasons for each counselling service are not recorded.

(11) Employees are advised of their right to claim workers’ compensation as a result of injury caused by customer physical or verbal abuse. Comcare is the authority that approves compensation claims and compensation leave.

(a) The number of accepted compensation claims as a result of physical and non-physical injuries caused by physical or verbal abuse, by year is:
- 2004 - 24;
- 2005 - 19;
- 2006 to July - 7.

(b) The table below shows the accepted compensation claims as a result of physical and non-physical injuries caused by physical or verbal abuse, by month since January 2005, until 31 July 2006:

<table>
<thead>
<tr>
<th></th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>4</td>
<td>1</td>
<td>0</td>
<td>4</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>2006</td>
<td>5</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

To prepare this answer it has taken approximately 13 hours and 35 minutes at an estimated cost of $704.

Carrick Awards
(Question No. 3955)

Mr Tanner asked the Minister for Education, Science and Training, in writing, on 16 August 2006:

(1) What are the projected expenditure estimates for the Carrick Awards for 2007-08 to 2009-10.

(2) What are the projected expenditure estimates pursuant to the Skilling Australia’s Workforce Act 2005 for 2007-08 to 2009-10.

Ms Julie Bishop—The answer to the honourable member’s question is as follows:

(1) The following amounts have been allocated for the Carrick Awards for University Teaching from 2007 to 2009 (noting that amounts are allocated on a calendar year rather than financial year basis).

<table>
<thead>
<tr>
<th>Year</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$4,577,000</td>
<td>$4,577,000</td>
<td>$4,577,000</td>
</tr>
</tbody>
</table>

(2) The following table details the expenditure estimates for funding under the Skilling Australia’s Workforce Act 2005, as contained in the Departments 2006-07 Portfolio Budget Statements (Page 116).

<table>
<thead>
<tr>
<th>Year</th>
<th>2007-2008</th>
<th>2008-2009</th>
<th>2009-2010</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$1,279,956,000</td>
<td>$1,295,647,000</td>
<td>$1,320,771,000</td>
</tr>
</tbody>
</table>
Parliamentarians: Private Plated Vehicles
(Question No. 3971)

Ms George asked the Special Minister of State, in writing, on 4 September 2006:

(1) In respect of his press release of 16 August 2006, in which he described the Holden Berlina as a “luxury car”, is the Minister aware that Holden Australia does not classify the Berlina as a “luxury car”; if so, why did he describe it in this manner.

(2) Is he aware that the recommended retail price of the Holden Berlina sedan is $43,990, which is below the maximum price cap of $47,655 available to Members of Parliament.

(3) How many Members of Parliament drive a Holden Berlina as their private plated vehicle.

(4) What car does he drive as his private plated vehicle, and would he describe it as a “luxury car”.

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


(2) Yes.

(3) Thirty-nine (39) Senators and Members are currently provided with a Holden Berlina as a private-plated vehicle.

(4) A Toyota Prado GXL, which was approved by my predecessor, on the grounds of operational need due to the hazardous road conditions within my electorate, particularly during the winter months.

Australian Federal Police Sniffer-Dogs
(Question No. 3998)

Mr Bevis asked the Minister representing the Minister for Justice and Customs, in writing, on 4 September 2006:

(1) What is the total number of sniffer-dogs owned by the Australian Federal Police (AFP) that are trained to detect (a) drugs and (b) explosives.

(2) In respect of training AFP sniffer-dogs to detect explosives; (a) how many dogs are currently undergoing such training, (b) how long does it take, (c) what is the total cost for each dog and (d) how is that cost disbursed.

(3) What is the average working life of a trained explosives sniffer-dog.

(4) How many types or categories of explosives are trained AFP sniffer-dogs able to detect.

(5) In any 24-hour period, how many hours can a trained sniffer-dog be tasked to actively and effectively detect explosives.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) (a) Six.

(b) The AFP has 22 explosive detection canines, comprising 16 Counter Terrorism First Response and six specifically trained for Asia-Pacific Economic Cooperation (APEC) duties.

(2) (a) 20 canines are in pre-course development assessing their suitability to undertake a full training course. Six canines will be assigned to new APEC handlers at the conclusion of the handler’s course in December 2006.

(b) An APEC course for sworn handlers runs for 12 weeks. Ongoing training is required post-course to induct new canine handling teams into the operational areas.

(c) The estimated cost per operational canine at the completion of all training is $90,000.
(d) Cost distribution includes purchase of the canine, training aids, veterinary expenses and specialised canine equipment. This figure also contains a contribution to the cost of conducting a course and support infrastructure for the canine teams.

(3) Eight years.

(4) Three primary categories of explosive and then specific compounds within each category. The numbers of compounds within each category is:
- Powders - Two;
- Commercial explosives - Four; and
- Military explosives - Three.

(5) This will vary on a case by case situation, with consideration to climate, canine attitude, search difficulty (terrain) and the specific search requirements. Searches can take 5 - 20 minutes, but if required can deploy for hours. There is nothing to preclude a canine team from working a 24 hour period, provided suitable breaks are allowed to ensure the canine maintains its determination.

KPMG Contracts

(Question Nos 4049 and 4051)

Mr Kelvin Thomson asked the Minister for Foreign Affairs and the Minister for Trade, in writing, on 4 September 2006:

(1) What contracts have been awarded to KPMG by departments or agencies within the Minister’s portfolio for the financial years (a) 2004-05, (b) 2005-06 and (c) 2006-07.

(2) What is the cost of each contract identified in Part (1).

Mr Downer—On behalf of the Minister for Trade and myself, the answer to the honourable member’s question is as follows:

**DFAT**

<table>
<thead>
<tr>
<th>(1) Description</th>
<th>(2) Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 2004-05 KPMG budgeting software (AIMS interface) – technical support and</td>
<td>$44,000</td>
</tr>
<tr>
<td>licence agreement 2004-05</td>
<td></td>
</tr>
<tr>
<td>(b) 2005-06 Independent review of Overseas Property Office (OPO) operations</td>
<td>$41,690</td>
</tr>
<tr>
<td>KPMG budgeting software (AIMS interface) – technical support and licence</td>
<td>$15,942</td>
</tr>
<tr>
<td>agreement 2005-06</td>
<td></td>
</tr>
<tr>
<td>(c) 2006-07 KPMG budgeting software (AIMS interface) – technical support and</td>
<td>$13,120</td>
</tr>
<tr>
<td>licence agreement 2006-07</td>
<td></td>
</tr>
</tbody>
</table>

**ACIAR**

(1) None.

(2) N/a.

**AJF**

(1) None.

(2) N/a.

**AusAID**

<table>
<thead>
<tr>
<th>(1) Description</th>
<th>(2) Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 2004-05 Review of AusAID’s fraud control environment</td>
<td>$11,000</td>
</tr>
<tr>
<td>Audit services for the PNG Institute of Medical Research Support Program</td>
<td>$54,009</td>
</tr>
<tr>
<td>Investigative services relating to alleged fraud</td>
<td>$14,300</td>
</tr>
<tr>
<td>Financial year</td>
<td>KPMG Branch</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------</td>
</tr>
<tr>
<td>2004–05</td>
<td>Canberra</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cairns</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>2005–06</td>
<td>Canberra</td>
</tr>
</tbody>
</table>

**KPMG Contracts**

(Question No. 4060)

Mr Kelvin Thomson asked the Minister for Employment and Workplace Relations, in writing, on 4 September 2006:

(1) What contracts have been awarded to KPMG by departments or agencies within the Minister’s portfolio for the financial years (a) 2004–05, (b) 2005–06 and (c) 2006–07.

(2) What is the cost of each contract identified in Part (1).

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

(1) and (2) Contracts awarded to KPMG by the Department of Employment and Workplace Relations portfolio for the financial years 2004–05, 2005–06 and 2006–07 as reported in the Department’s Annual Reports are outlined in the table below:

<table>
<thead>
<tr>
<th>Financial year</th>
<th>KPMG Branch</th>
<th>Service provided</th>
<th>Value $</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004–05</td>
<td>Canberra</td>
<td>General Audit Services—Service 2</td>
<td>10 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Funding Controller for Napranum Aboriginal Council</td>
<td>55 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Community Development Employment Projects (CDEP).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cairns</td>
<td>Funding Controller for Napranum Aboriginal Council</td>
<td>22 450</td>
</tr>
<tr>
<td></td>
<td></td>
<td>CDEP—additional work.</td>
<td></td>
</tr>
<tr>
<td>2005–06</td>
<td>Canberra</td>
<td>Review of costing models and processes</td>
<td>10 000</td>
</tr>
</tbody>
</table>

**QUESTIONS IN WRITING**
Questions in Writing

Financial year  KPMG Branch  Service provided  Value $  
Cairns  Employment Document–Napranum Nanum Tawap  7,500*  
Darwin  CDEP Capacity Building Reviews  170,940  

NOTE: To date, KPMG has not been awarded any contracts for 2006–07.
* Due to the amount being less than $10,000 this service is not reported on in the Annual Report.

Eidsvold Agroforestry Project
(Question No. 4092)

Mr Gavan O’Connor asked the Minister for Transport and Regional Services, in writing, on 9 September 2006:
In respect of the Eidsvold Agroforestry Project, which received $496,000 in funding through the Sustainable Regions program: (a) what did the project deliver; (b) what were the outcomes and recommendations; (c) when was it completed; (d) by which organisation was it completed; (e) how was the project provider selected; and (f) by whom was the contract managed.

Mr Vaile—The answer to the honourable member’s question is as follows:
(a) The funding contributed to the preliminary on-site work and planning for the Eidsvold Agroforestry complex, which will include the Reginald Murray Williams Australian Bush Centre.
(b) Outcomes included road and drainage works, a public toilet block, a geodesic dome, signage, main road site entry, project brokerage services and a sustainable agriforestry plan. The Eidsvold Shire Council has advised that the employment generated by this project included two full time plant operators, three traineeships and over 50 part-time jobs. In the longer term the project will increase business and employment opportunities in the region including employment of indigenous youth.
(c) June 2005
(d) (e) and (f) Eidsvold Shire Council.

Reginald Murray Williams Australian Bush Centre
(Question No. 4093)

Mr Gavan O’Connor asked the Minister for Transport and Regional Services, in writing, on 6 September 2006:
In respect of the approval granted by the Ministerial Committee overseeing the Regional Partnerships program to provide $67,000 for a feasibility study and business plan for the Reginald Murray Williams Australian Bush Centre, depending upon matched funds from State and local government; (a) has funding been matched by State and local government; (b) was the provision of matched funding by State and local government a condition of the commitment made to the project in 2004; (c) how will the business plan provider be selected; (d) when will the business plan be available; (e) who will select the business plan provider; (f) who will manage the business plan contract; (g) in respect of the statement made before the Senate Rural and Regional Affairs and Transport Committee Budget Estimates Committee on 23 May 2006, that a steering committee would be established to oversee the Reginald Murray Williams Australian Bush Centre project, (i) has the steering committee met and (ii) who are the members; (h) how will providers of other components for the Reginald Murray Williams Australian Bush Centre project be selected; (i) who will manage the other contracts; and (j) will the feasibility study be used to test the due diligence of the project and its suitability for Regional Partnerships funding, and to determine whether it will proceed.

Mr Vaile—The answer to the honourable member’s question is as follows:
(a) Local Government, Yes. An application for funding is under assessment by the State Government.
(b) No.
(c) Through a tender process.
(d) Expected in February 2007.
(e) Initial assessment has been undertaken by the Steering Committee and the final decision is being made by the Eidsvold Shire Council.
(f) The Eidsvold Shire Council.
(g) (i) Yes.
   (ii) Steering Committee Membership includes:
   • Cr Peter Webster, Mayor Eidsvold Shire Council (ESC)
   • Cr Patrick Connolly, ESC Councillor
   • Cr John Pott, ESC Councillor
   • Cr Kim Barnett, ESC Councillor
   • Cr Margaret Boothby, ESC Councillor
   • Peter Anderson, Chief Executive Officer ESC
   • Bill Reedman, Project Officer ESC
   • Martin Homisan, Business Development Officer ESC
   • Peter Huth, Special Projects Consultant ESC
   • Robyn Bradley, Department of Transport and Regional Services
   • Cameron Bisley, Executive Officer Wide Bay Burnett Area Consultative Committee
   • Trevor Corthorne, Queensland Department of State Development
   • Kylie Schooley, Williams’ family
   • Jim Williams, Williams’ family
   • Dot Hamilton, Eidsvold Tourism
   • Jim Tucker, Community Representative
   • Kaye Hockey, Community Representative.
(h) The Eidsvold Shire Council will make those decisions.
(i) The Eidsvold Shire Council.
(j) The business plan is intended to develop a sustainable model for the project.

Rural Medical Infrastructure Fund

(Question No. 4095)

Mr Gavan O’Connor asked the Minister for Transport and Regional Services, in writing, on 6 September 2006:
From May to August 2006, how many applications for the Rural Medical Infrastructure Fund have been (a) received, (b) approved and (c) rejected.

Mr Vaile—The answer to the honourable member’s question is as follows:
From May to August 2006:
(a) Five applications for RMIF funding have been received;
(b) Two applications have been approved; and
(c) No applications have been rejected.
Comcar
(Question No. 4098)

Mr Martin Ferguson asked the Special Minister of State, in writing, on 6 September 2006:

In respect of Comcar:

(1) At 30 June (a) 2002, (b) 2003, (c) 2004, (d) 2005 and (e) 2006, (i) how many reservations and allocations staff were employed, (ii) where were they employed, and how many were (iii) full-time, (iv) part-time and (v) casual;

(2) At 30 June (a) 2002, (b) 2003, (c) 2004, (d) 2005 and (e) 2006, for each State and Territory, how many (i) permanent and (ii) casual staff were employed;

(3) At 30 June (a) 2002, (b) 2003, (c) 2004, (d) 2005 and (e) 2006, how many staff were employed in the administration of Comcar on a (i) full-time, (ii) part-time and (iii) casual basis;

(4) For each financial year from 30 June (a) 2002, (b) 2003, (c) 2004, (d) 2005 and (e) 2006, what was the average performance bonus paid to Comcar (i) drivers and (ii) reservations and allocations staff, including administrative personnel, but exclusive of staff at EL2 and SES Band 1 level;

(5) For each financial year at 30 June (a) 2002, (b) 2003, (c) 2004, (d) 2005 and (e) 2006, what performance bonuses were paid to each Comcar employee at (i) SES Band 1 and (ii) EL2 level; and

(6) For each State and Territory, what was the cost of recruitment and training of Comcar drivers for each of the last five financial years.

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

(1)  

<table>
<thead>
<tr>
<th></th>
<th>(i) Total</th>
<th>(iii) Full time</th>
<th>(iv) Part time</th>
<th>(v) Casual (non-ongoing)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 30 June 2002</td>
<td>25</td>
<td>11</td>
<td>3</td>
<td>11</td>
</tr>
<tr>
<td>(b) 30 June 2003</td>
<td>25</td>
<td>14</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td>(c) 30 June 2004</td>
<td>24</td>
<td>16</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td>(d) 30 June 2005</td>
<td>26</td>
<td>13</td>
<td>1</td>
<td>12</td>
</tr>
<tr>
<td>(e) 30 June 2006</td>
<td>26</td>
<td>13</td>
<td>1</td>
<td>12</td>
</tr>
</tbody>
</table>

(ii) All reservations and allocations staff are located in Canberra.

(2) (i) Permanent (Ongoing) Staff.

<table>
<thead>
<tr>
<th></th>
<th>ACT</th>
<th>NSW</th>
<th>VIC</th>
<th>QLD</th>
<th>SA</th>
<th>WA</th>
<th>TAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 30 June 2002</td>
<td>39</td>
<td>9</td>
<td>15</td>
<td>6</td>
<td>4</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>(b) 30 June 2003</td>
<td>45</td>
<td>8</td>
<td>12</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>(c) 30 June 2004</td>
<td>46</td>
<td>8</td>
<td>12</td>
<td>3</td>
<td>4</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>(d) 30 June 2005</td>
<td>42</td>
<td>8</td>
<td>11</td>
<td>3</td>
<td>4</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>(e) 30 June 2006</td>
<td>41</td>
<td>7</td>
<td>10</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

(ii) Casual (Non-ongoing) Staff.

<table>
<thead>
<tr>
<th></th>
<th>ACT</th>
<th>NSW</th>
<th>VIC</th>
<th>QLD</th>
<th>SA</th>
<th>WA</th>
<th>TAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 30 June 2002</td>
<td>148</td>
<td>32</td>
<td>16</td>
<td>5</td>
<td>5</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>(b) 30 June 2003</td>
<td>153</td>
<td>29</td>
<td>15</td>
<td>9</td>
<td>7</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>(c) 30 June 2004</td>
<td>129</td>
<td>32</td>
<td>14</td>
<td>8</td>
<td>6</td>
<td>5</td>
<td>-</td>
</tr>
<tr>
<td>(d) 30 June 2005</td>
<td>130</td>
<td>34</td>
<td>18</td>
<td>12</td>
<td>6</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>(e) 30 June 2006</td>
<td>138</td>
<td>52</td>
<td>20</td>
<td>14</td>
<td>8</td>
<td>6</td>
<td>-</td>
</tr>
</tbody>
</table>
(3)

<table>
<thead>
<tr>
<th></th>
<th>(i) Full time</th>
<th>(ii) Part time</th>
<th>(iii) Casual (non-ongoing)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 30 June 2002</td>
<td>21</td>
<td>-</td>
<td>5</td>
</tr>
<tr>
<td>(b) 30 June 2003</td>
<td>22</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>(c) 30 June 2004</td>
<td>25</td>
<td>-</td>
<td>2</td>
</tr>
<tr>
<td>(d) 30 June 2005</td>
<td>24</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>(e) 30 June 2006</td>
<td>24</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

(4)

<table>
<thead>
<tr>
<th></th>
<th>Drivers</th>
<th>Reservations/Allocations staff and Administration Personnel</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 30 June 2002</td>
<td>$4,389</td>
<td>$4,592</td>
</tr>
<tr>
<td>(b) 30 June 2003</td>
<td>$4,857</td>
<td>$3,239</td>
</tr>
<tr>
<td>(c) 30 June 2004</td>
<td>$2,772</td>
<td>$1,241</td>
</tr>
<tr>
<td>(d) 30 June 2005</td>
<td>$923</td>
<td>$1,566</td>
</tr>
<tr>
<td>(e) 30 June 2006</td>
<td>$1,113</td>
<td>$1,656</td>
</tr>
</tbody>
</table>

Note: Casual drivers are not eligible for performance bonuses. It should also be noted that the maximum potential performance bonus for eligible staff reduced over the period with changes in the remuneration framework—the balance between performance bonuses and base salaries was adjusted in favour of base salaries.

(5) Providing this information would identify the amounts paid to individual officers and would infringe those officers’ rights to privacy.

(6)

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>ACT</th>
<th>NSW</th>
<th>VIC</th>
<th>QLD</th>
<th>SA</th>
<th>WA</th>
<th>TAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001-02*</td>
<td>$112,158</td>
<td>$4,248</td>
<td>$2,943</td>
<td>$756</td>
<td>$464</td>
<td>$2,329</td>
<td>$45</td>
</tr>
<tr>
<td>2002-03**</td>
<td>$169,415</td>
<td>$25,262</td>
<td>$37,064</td>
<td>$23,482</td>
<td>$31,822</td>
<td>$15,020</td>
<td>$1,421</td>
</tr>
<tr>
<td>2003-04**</td>
<td>$123,621</td>
<td>$61,693</td>
<td>$24,448</td>
<td>$3,777</td>
<td>$3,629</td>
<td>$4,616</td>
<td>$0</td>
</tr>
<tr>
<td>2004-05**</td>
<td>$189,438</td>
<td>$101,450</td>
<td>$95,648</td>
<td>$33,438</td>
<td>$38,676</td>
<td>$31,860</td>
<td>$198</td>
</tr>
<tr>
<td>2005-06**</td>
<td>$129,976</td>
<td>$74,458</td>
<td>$32,606</td>
<td>$32,445</td>
<td>$24,884</td>
<td>$11,120</td>
<td>$1,015</td>
</tr>
</tbody>
</table>

* Costs of drivers’ wages while attending training and in-house driver training courses was not recorded in this year.

** These figures include salary paid to casual drivers while attending training, external provider costs and the cost of in-house driver training courses.

Institute for Trade Skills Excellence

(Question No. 4111)

Ms Macklin asked the Minister for Vocational and Technical Education, in writing, on 6 September 2006:

(1) Has a contract been signed between the Government and the Institute for Trade Skill Excellence; if so, (a) on what date was it signed, (b) on what date does it commence, (c) on what date does it expire, (d) does it contain any renewal options; if so, what is the length of these options; and (e) what is its total value.

(2) What sum has been expended on the Institute since its announcement in the 2004 election campaign.
(3) For the current Budget year, and for each year across the forward estimates period, what are the (a) administered, and (b) departmental budget expenses for the Institute.

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

(1) The Funding Agreement between the Government and the Institute for Trade Skills Excellence has been signed:
   (a) it was signed on 14 September 2006
   (b) it commenced on 14 September 2006
   (c) it expires on 30 June 2007
   (d) it does not contain any renewal options
   (e) the total value is $7,317,000.00 (exclusive of GST).

(2) As at 19 September 2006, $76,635.66 (exclusive of GST) has been expended on the Institute for Trade Skills Excellence since its announcement in the 2004 election campaign.

(3) For the current Budget year, and for each year across the forward estimates period the administered and departmental budget expenses for the Institute of Trade Skills Excellence are:

<table>
<thead>
<tr>
<th>Funding</th>
<th>2006-07</th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administered</td>
<td>$7,667,000</td>
<td>$7,647,000</td>
<td>$6,354,000</td>
<td>$4,743,000</td>
</tr>
<tr>
<td>Departmental</td>
<td>$142,000</td>
<td>$148,000</td>
<td>$145,000</td>
<td></td>
</tr>
</tbody>
</table>

(These figures are exclusive of GST.)

Media Monitoring and Clipping Services
(Question No. 4122)

Mr Bowen asked the Minister for Transport and Regional Services, in writing, on 7 September 2006:

(1) What sum was spent on media monitoring and clipping services engaged by the Minister’s office in 2005-06.

(2) What was the name and postal address of each media monitoring company engaged by the Minister’s office.

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

(1) $10,265.78

(2) Media Monitors Australia Pty Ltd
    PO Box 2110
    STRAWBERRY HILLS NSW 2012

    Rehame Australia Monitoring
    PO Box 537
    PORT MELBOURNE VIC 3207

Opinion Polls
(Question No. 4175)

Mr McClelland asked the Minister for Transport and Regional Services, in writing, on 11 September 2006:

Further to his response to question No. 3303 (Hansard, 9 August 2006, page 149), in which he supplied information relating to the (a) purpose and (b) cost of opinion polls, focus group testing and market
Mr Vaile—The answer to the honourable member’s question is as follows:

(a) refer to table below

(b) refer to table below

**Department of Transport and Regional Services (present year to 11 October 2006)**

<table>
<thead>
<tr>
<th>Name</th>
<th>Postal address</th>
<th>Purpose</th>
<th>Cost (GST incl)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colmar Brunton Social Research Pty Ltd</td>
<td>GPO Box 2212</td>
<td>Stage 2 - Online Exit Survey for Green Vehicle Guide Website: analysis of results</td>
<td>$9,118.00</td>
</tr>
<tr>
<td>The Social Research Centre Pty Ltd</td>
<td>Level 1, 262 Victoria Street, North Melbourne Victoria 3051</td>
<td>To conduct surveys to monitor changes in community attitudes and perceptions on a wide range of road safety issues</td>
<td>$98,828.23</td>
</tr>
<tr>
<td>Dr Fadil Pedic and Associates, trading as The Research Forum</td>
<td>PO Box 3262 Parramatta NSW 2121</td>
<td>General Aviation Needs and Issues Analysis surveys to determine future measures to support the General Aviation Industry to comply with their obligations under the Aviation Transport Security Act 2004 and the Aviation Transport Security Regulations 2005</td>
<td>$31,172.31</td>
</tr>
</tbody>
</table>

**Human Services: Staff**

(Question No. 4280)

**Mr Kelvin Thomson** asked the Minister for Human Services, in writing, on 12 September 2006:

At 12 September 2006, how many Department of Human Services staff were on stress leave from (a) the department and (b) each of its agencies.

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

I refer the honourable member to my response to questions HS48-50 asked by Senator Evans on 1st November 2005.

At that time I advised the Senator that there is no category of stress leave. Therefore no staff of the department or its agencies are on this type of leave.

To prepare this answer it has taken approximately 1 hour and 45 minutes at an estimated cost of $101.

**Boston Consulting Group**

(Question No. 4284)

**Mr Kelvin Thomson** asked the Minister for Human Services, in writing, on 12 September 2006:

In respect of work undertaken in 2006 by the Boston Consulting Group in relation to Medicare, (a) what services are being provided by the Boston Consulting Group, (b) what is the projected cost of the work and (c) what is the objective of the work.

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

(a) To date during 2006, the Boston Consulting Group has been engaged by Medicare Australia for the following three consultancies:
   - Medicare eClaiming business case review
   - Family Assistance Office (FAO) funding model and
   - Medicare Australia business transition strategy.
(b)

<table>
<thead>
<tr>
<th>Service</th>
<th>Cost (GST inclusive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicare eClaiming Business Case Review</td>
<td>$328,900</td>
</tr>
<tr>
<td>Family Assistance Office (FAO) funding model</td>
<td>$354,200</td>
</tr>
<tr>
<td>Medicare Australia Business Transition Strategy</td>
<td>$1,138,500</td>
</tr>
</tbody>
</table>

(c) Medicare eClaiming Business Case Review - to provide Medicare Australia with financial modeling and financial analysis on the proposed EFTPOS based claiming and payment channel.

FAO funding model - to facilitate negotiations between Centrelink and Medicare Australia to develop a funding model to support the transfer of FAO work from Centrelink to Medicare Australia.

Medicare Australia Business Transition Strategy - to review and provide advice on Medicare Australia’s ability to meet future business challenges, including an analysis of current funding arrangements and the likely requirements in the future business model for Medicare Australia.

To prepare this answer it has taken approximately 4 hours and 30 minutes at an estimated cost of $278.

Batman Electorate: Regional Partnerships Program

(Question No. 4291)

Mr Martin Ferguson asked the Minister for Transport and Regional Services, in writing, on 12 September 2006:

(1) How many applications for funding under the Regional Partnerships Program, or its predecessor, were submitted from the federal electorate of Batman in each financial year since the program started and what are the details of each application.

(2) How many applications for funding under the Regional Partnerships Program submitted from the federal electorate of Batman are awaiting determination and what are the details of each application.

(3) For 2005-2006, what are the details of the grants (a) applied for and (b) received under the Regional Partnerships Program, or its predecessor, in the federal electorate of Batman.

(4) In respect of each application under the Regional Partnerships Program, or its predecessor, which was approved in the federal electorate of Batman in (a) 2004-2005 and (b) 2005-2006: (i) what date was the project approved; (ii) what date did the Area Consultative Committee recommend funding the project; (iii) which Regional Partnerships eligibility criteria did the project satisfy; (iv) what are the expected employment outcomes for the project; (v) what sum was contributed to the project by the applicant; (vi) when did the project satisfy due diligence requirements and (vii) what supporting documentation was supplied with the application.

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

(1) One application for funding was received under the Regional Partnerships Programme from the electoral division of Batman in the 2004-05 financial year.

<table>
<thead>
<tr>
<th>Organisation Name</th>
<th>Project Name</th>
<th>Approved Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Darebin</td>
<td>NTEC Manufacturing Facility Equipment purchase</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

(2) As at 3 October 2006, there were no applications for funding under the Regional Partnerships programme from the electoral division of Batman that are awaiting Ministerial decision.

(3) There were no applications for funding under the Regional Partnerships programme from the electoral division of Batman in 2005-06 financial year.

(4) (a) Nil

(b) (i) The project was approved on 9 December 2005.
(ii) The Area Consultative Committee provided comments on this project on 22 April 2005.
(iii) This project was assessed as eligible for Regional Partnerships funding against all criteria.
(iv) The project proponent advised that the project will contribute to the reduction of unemployment of young people and disadvantaged community members through skills development targeting labour shortages.
(v) The applicant is providing $1,420,000.
(vi) All due diligence checks were completed by the Department in accordance with the Regional Partnerships guidelines on 13 May 2005.
(vii) The documentation supplied was letters of support from the following:
- The Member for Batman;
- The Member for McEwen;
- The Member for Wills;
- City of Darebin;
- Manufacturing Learning Victoria;
- Engineering Skills Training Board (VIC) Inc.;
- Scope (VIC) Ltd;
- Northern Metropolitan Local Aboriginal Education Consultative Group (NMLAECG);
- Principal of the Peter Lalor College on behalf of the principals of the Nillumbik, Whittlesea, Banyule and Darebin Secondary Schools;
- Northern Interactive Education Coordinated Area Program (NIECAP);
- Northern Stainless Steel Skills Development Group;
- Inner Northern Local Learning and Employment Network; and
- Apprenticeships Plus

Richmond Electorate: Programs and Grants
(Question No. 4322)

Mrs Elliot asked the Minister for Community Services, in writing, on 12 September 2006:

(1) What programs have been administered by the Minister’s department in the federal electorate of Richmond since October 2004.

(2) In respect of each project or program referred to in Part (1), (a) what is its name, (b) by whom is it operated and (c) what are its aims and objectives.

(3) What grants have been provided to individuals, businesses and organisations by the Ministers’ department in the federal electorate of Richmond since October 2004.

Mr John Cobb—The answer to the honourable member’s question is as follows:
The Department of Families, Community Services and Indigenous Affairs administers a wide variety of programs to assist individuals and communities. Information about programs administered by the department is regularly published on the department’s website and is publicly available at www.facsia.gov.au and in the department’s Annual Reports and Portfolio Budget Statements. In addition details of contracts, including funding agreements, to the value of $100,000 or more are published on the department’s website at regular intervals, in accordance with Senate Order 192.

I consider that the preparation of answers to the questions placed on notice would involve a significant diversion of resources and, in the circumstances, I do not consider that the additional work can be justified.
Parliamentary Commonwealth Cars: Fuel
(Question No. 4449)

Mr Kelvin Thomson asked the Special Minister of State, in writing, on 14 September 2006:
For each financial year since 1 July 2000, what was the total cost of fuel for all Parliamentary Commonwealth cars.

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

<table>
<thead>
<tr>
<th>Year</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000-01</td>
<td>$457,013</td>
</tr>
<tr>
<td>2001-02</td>
<td>$382,857</td>
</tr>
<tr>
<td>2002-03</td>
<td>$380,498</td>
</tr>
<tr>
<td>2003-04</td>
<td>$401,952</td>
</tr>
<tr>
<td>2004-05</td>
<td>$383,905</td>
</tr>
<tr>
<td>2005-06</td>
<td>$544,354</td>
</tr>
</tbody>
</table>

This includes fuel costs for only COMCAR vehicles and not for other vehicles leased by the Commonwealth.

Understanding Money Communications Campaign
(Question No. 4684)

Mr Kelvin Thomson asked the Minister for Revenue and Assistant Treasurer, in writing, on 14 September 2006:

(1) In respect of the Understanding Money communications campaign, what was its (a) cost, including all costs under $10,000, and (b) duration.

(2) At 12 September 2006, was the campaign running to its original budget; if not, (a) by what sum has the campaign exceeded its budget and (b) what is the amended total estimated cost.

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

(1) (a) $12.970 million.

(b) 30 July 2006 to mid-December 2006.

(2) Yes.

Ethanol
(Question No. 4709)

Mr Martin Ferguson asked the Minister for Industry, Tourism and Resources, in writing, on 9 October 2006:
Further to his response to question No. 4005 concerning the Ethanol Production Grants Program (27 September 2006), on what basis did Tarac Technologies Pty Ltd not receive a grant.

Mr Ian Macfarlane—The answer to the honourable member’s question is as follows:
Depending on the timeframe in which claims are made by companies under the Ethanol Production Grant Program, there are instances where claims are received in a particular month but are not able to be processed and paid until the following month.
Tarac Technologies Pty Ltd made a claim for a grant under the Ethanol Production Grant Program after the June 2006 financial close for processing claims under this program. Therefore the grant to Tarac Technologies Pty Ltd was paid in July 2006, rather than in June 2006.
Republic of Vietnam Flag
(Question No. 4717)

Ms Annette Ellis asked the Minister for Foreign Affairs, in writing, on 9 October 2006:

(1) Has the Government received any representations in the past five years from the Socialist Republic of Vietnam about flying the flag of the Republic of Vietnam in Australia; if so, what was the occasion, timing and substance of those representations.

(2) Has the Government received any representations from the Socialist Republic of Vietnam about the Vietnam Veterans’ Memorial being built in Adelaide and flying the flag of the Republic of Vietnam at that Memorial.

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

(1) Yes. The Australian Government has received a number of written and oral representations from Vietnamese authorities expressing concern about the raising of the flag of the former Republic of Vietnam in Australia.

(2) Yes. The Vietnamese Government raised the issue with the Australian Ambassador in Hanoi on 17 March 2006. No representations by the Vietnamese Government have been made directly to me.