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SITTING DAYS—2006

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- **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 James Vaile 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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<tr>
<td>Vasta, Ross Xavier</td>
<td>Bonner, Qld</td>
<td>LP</td>
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<tr>
<td>Wakelin, Barry Hugh</td>
<td>Grey, SA</td>
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<tr>
<td>Washer, Malcolm James</td>
<td>Moore, WA</td>
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<td>Wilkie, Kim William</td>
<td>Swan, WA</td>
<td>ALP</td>
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<tr>
<td>Windsor, Antony Harold Curties</td>
<td>New England, NSW</td>
<td>Ind</td>
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<tr>
<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 The Hon. Mark Anthony James Vaile MP
   Deputy Prime Minister
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 The Hon. Anthony John Abbott MP
   House
Attorney-General The Hon. Philip Maxwell Ruddock MP
Minister for Finance and Administration, Senate 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 Relations and Minister Assisting the Prime The Hon. Kevin James Andrews MP
   Minister for the Public Service
Minister for Communications, Information Technology and the Arts and Deputy Leader of Senator the Hon. Helen Lloyd Coonan
   the Government in the Senate
Minister for the Environment and Heritage Senator the Hon. Ian Gordon Campbell

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<td>Senator the Hon. Christopher Martin Ellison</td>
</tr>
<tr>
<td>Minister for Fisheries, Forestry and Conservation</td>
<td>Senator the Hon. Eric Abetz</td>
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<tr>
<td>Minister for the Arts and Sport</td>
<td>Senator the Hon. Charles Roderick Kemp</td>
</tr>
<tr>
<td>Minister for Human Services and Minister Assisting the Minister for Workplace Relations</td>
<td>The Hon. Joseph Benedict Hockey MP</td>
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<tr>
<td>Minister for Community Services</td>
<td>The Hon. John Kenneth Cobb MP</td>
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<tr>
<td>Minister for Revenue and Assistant Treasurer</td>
<td>The Hon. Peter Craig Dutton MP</td>
</tr>
<tr>
<td>Special Minister of State</td>
<td>The Hon. Gary Roy Nairn MP</td>
</tr>
<tr>
<td>Minister for Vocational and Technical Education and Minister Assisting the Prime Minister</td>
<td>The Hon. Gary Douglas Hardgrave MP</td>
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<tr>
<td>Minister for Ageing</td>
<td>Senator the Hon. Santo Santoro</td>
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<tr>
<td>Minister for Small Business and Tourism</td>
<td>The Hon. Frances Esther Bailey MP</td>
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<tr>
<td>Minister for Local Government, Territories and Roads</td>
<td>The Hon. James Eric Lloyd MP</td>
</tr>
<tr>
<td>Minister for Veterans' Affairs and Minister Assisting the Minister for Defence</td>
<td>The Hon. Bruce Frederick Billson MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Finance and Administration</td>
<td>The Hon. Dr Sharman Nancy Stone MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Industry, Tourism and Resources</td>
<td>Senator the Hon. Richard Mansell Colbeck</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Health and Ageing</td>
<td>The Hon. Robert Charles Baldwin MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Defence</td>
<td>The Hon. Christopher Maurice Pyne MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Transport and Regional Services</td>
<td>Senator the Hon. John Alexander Lindsay (Sandy) Macdonald</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs</td>
<td>The Hon. De-Anne Margaret Kelly MP</td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>The Hon. Andrew John Robb MP</td>
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<tr>
<td>Parliamentary Secretary to the Treasurer</td>
<td>The Hon. Malcolm Bligh Turnbull MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for the Environment and Heritage</td>
<td>The Hon. Christopher John Pearce MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry</td>
<td>The Hon. Gregory Andrew Hunt MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Education, Science and Training</td>
<td>The Hon. Sussan Penelope Ley MP</td>
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<tr>
<td>Parliamentary Secretary (Foreign Affairs)</td>
<td>The Hon. Patrick Francis Farmer MP</td>
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<tr>
<td>Parliamentary Secretary (Foreign Affairs)</td>
<td>The Hon. Teresa Gambaro MP</td>
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<tr>
<td>Leader of the Opposition</td>
<td>The Hon. Kim Christian Beazley MP</td>
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<tr>
<td>Deputy Leader of the Opposition and Shadow</td>
<td>Jennifer Louise Macklin MP</td>
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<tr>
<td>Minister for Education, Training, Science and Research</td>
<td></td>
</tr>
<tr>
<td>Leader of the Opposition in the Senate, Shadow</td>
<td>Senator Christopher Vaughan Evans</td>
</tr>
<tr>
<td>Minister for Indigenous Affairs and Shadow</td>
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<tr>
<td>Minister for Family and Community Services</td>
<td></td>
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<tr>
<td>Deputy Leader of the Opposition in the Senate and Shadow</td>
<td>Senator Stephen Michael Conroy</td>
</tr>
<tr>
<td>Shadow Minister for Communications and Information Technology</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>
</tr>
<tr>
<td>Shadow Treasurer</td>
<td>Wayne Maxwell Swan MP</td>
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<tr>
<td>Shadow Attorney-General</td>
<td>Nicola Louise Roxon MP</td>
</tr>
<tr>
<td>Shadow Minister for Industry, Infrastructure and Industrial Relations</td>
<td>Stephen Francis Smith MP</td>
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<tr>
<td>Shadow Minister for Foreign Affairs and Trade</td>
<td>Kevin Michael Rudd MP</td>
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<tr>
<td>and Shadow Minister for International Security</td>
<td></td>
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<tr>
<td>Shadow Minister for Defence</td>
<td>Robert Bruce McClelland MP</td>
</tr>
<tr>
<td>Shadow Minister for Regional Development</td>
<td>The Hon. Simon Findlay Crean MP</td>
</tr>
<tr>
<td>Shadow Minister for Primary Industries, Resources, Forestry and Tourism</td>
<td>Martin John Ferguson MP</td>
</tr>
<tr>
<td>Shadow Minister for Environment and Heritage,</td>
<td>Anthony Norman Albanese MP</td>
</tr>
<tr>
<td>Shadow Minister for Water and Deputy Manager of Opposition Business in the House</td>
<td></td>
</tr>
<tr>
<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>
</tr>
<tr>
<td>Shadow Minister for Public Accountability and Shadow Minister for Human Services</td>
<td>Kelvin John Thomson MP</td>
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<tr>
<td>Shadow Minister for Finance</td>
<td>Lindsay James Tanner MP</td>
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<tr>
<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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<tr>
<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)*
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<td>Laurie Donald Thomas Ferguson MP</td>
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<tr>
<td>Shadow Minister for Agriculture and Fisheries</td>
<td>Gavan Michael O’Connor MP</td>
</tr>
<tr>
<td>Shadow Assistant Treasurer, Shadow Minister for Revenue and Shadow Minister for Small Business and Competition</td>
<td>Joel Andrew Fitzgibbon MP</td>
</tr>
<tr>
<td>Shadow Minister for Transport</td>
<td>Senator Kerry Williams Kelso O’Brien</td>
</tr>
<tr>
<td>Shadow Minister for Sport and Recreation</td>
<td>Senator Kate Alexandra Lundy</td>
</tr>
<tr>
<td>Shadow Minister for Homeland Security and Shadow Minister for Aviation and Transport Security</td>
<td>The Hon. Archibald Ronald Bevis MP</td>
</tr>
<tr>
<td>Shadow Minister for Veterans’ Affairs and Special Minister of State</td>
<td>Alan Peter Griffin MP</td>
</tr>
<tr>
<td>Shadow Minister for Defence Industry, Procurement and Personnel</td>
<td>Senator Thomas Mark Bishop</td>
</tr>
<tr>
<td>Shadow Minister for Immigration</td>
<td>Anthony Stephen Burke MP</td>
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<tr>
<td>Shadow Minister for Ageing, Disabilities and Carers</td>
<td>Senator Jan Elizabeth McLucas</td>
</tr>
<tr>
<td>Shadow Minister for Justice and Customs and Manager of Opposition Business in the Senate</td>
<td>Senator Joseph William Ludwig</td>
</tr>
<tr>
<td>Shadow Minister for Overseas Aid and Pacific Island Affairs</td>
<td>Robert Charles Grant Sercombe MP</td>
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<tr>
<td>Shadow Minister for Citizenship and Multicultural Affairs</td>
<td>Senator Annette Hurley</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Reconciliation and the Arts</td>
<td>Peter Robert Garrett MP</td>
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<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>John Paul Murphy MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for Defence and Veterans’ Affairs</td>
<td>The Hon. Graham John Edwards MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for Education</td>
<td>Kirsten Fiona Livermore MP</td>
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<tr>
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<td>Jennie George MP</td>
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<td>Bernard Fernando Ripoll MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for Immigration</td>
<td>Ann Kathleen Corcoran MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for Treasury</td>
<td>Catherine Fiona King MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for Science and Water</td>
<td>Senator Ursula Mary Stephens</td>
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<tr>
<td>Shadow Parliamentary Secretary for Northern Australia and Indigenous Affairs</td>
<td>The Hon. Warren Edward Snowdon MP</td>
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The privatisation of Australia’s 22 federal airports has fostered a vibrant and dynamic industry and enabled these airports to grow as commercial ventures offering improved services with minimal call for public investment or intervention.

There has been significant investment and improvement in the management of Australia’s major airports since privatisation. Capital expenditure in the billions of dollars has seen the commissioning of new runway, apron and taxiway infrastructure to cope with increased traffic and new aviation technology such as the A380. It has also seen new, expanded and renovated airport terminals to cope with increased passenger demand and to provide for a more efficient, secure and user-friendly experience for passengers.

Airports are not immune from industry fluctuations and external shocks such as September 11, the Bali bombings or the SARS scare. In order to provide for the future development of Australia’s aviation network, today’s airports need a broader business model that will enable them to weather such shocks and continue to sustain investment in maintenance and upgrading of aeronautical infrastructure expenditure.

The Airports Amendment Bill 2006 does not propose changes to the broad policy framework for privatised airports, but is a balanced package containing measures to finetune the regulatory scheme in the light of experience during the first 10 years of operation.

The Australian government will continue to control planning and development on the airport sites, which remain Commonwealth land. The airports continue to be an important element of our national infrastructure.

The government is mindful that the planning arrangements for Australia’s leased federal airports have been an area of concern for the states and territories and some local governments, who have responsibilities for planning and infrastructure provision in surrounding areas. Input from state planning authorities, local governments and the community at large is important for the operation of the airport regulatory regime, and the government is committed to ensuring the consul-
tation processes in the scheme are operated effectively and ensure genuine engagement.

The Australian government has developed consultation guidelines which complement the amendments proposed in this bill. The guidelines have been developed in order to promote the meaningful exchange of information and views between the operators of the privatised airports and stakeholders on all land use, planning and development proposals. They were developed following extensive consultation with the operators of the leased airports, state and local planning authorities and a variety of Australian government agencies. The Australian government takes very seriously the views of the community in relation to airport development and, through these guidelines and the amendments being proposed by this bill, expects airport operators to clearly demonstrate how they have had due regard for comments made during the public comment periods on master plans, major development plans and airport environment strategies.

Most of the proposed amendments in the bill arise from a comprehensive review of the Airports Act 1996 undertaken in 2003-04. In addition to public consultation, comprehensive discussions were held with the operators of the leased airports and affected government agencies in developing these proposals.

A number of the proposed changes centre on improving the workability of the current planning and development approval provisions detailed at part 5 of the Airports Act.

The bill proposes to reduce the statutory public comment and assessment periods for airport master plans, major development plans and environment strategies, bringing them more into line with state and territory planning regimes. It also requires airport lessee companies to make their planning and development documents readily available in an electronic format free of charge. This not only provides for timely public access to these important documents but facilitates distribution between interested parties and assists in their analysis for example by allowing the use of electronic search tools to locate particular words and phrases in what are often substantial documents.

The changes to the public consultation periods are consistent with the government’s commitment to reduce regulatory burdens on business, mirror the streamlining processes embraced by other jurisdictions and recognise the maturing of both the airports in preparing these documents and the public in assessing them.

The bill also provides for the introduction of a ‘stop-clock’ mechanism where further information is required during the assessment of plans and strategies. This approach not only enhances the already transparent approval process of these important plans but will encourage airport-lessee companies to provide more comprehensive planning documents.

Recognising the significant increase in construction costs over the last decade, the dollar threshold for requiring major development plans is to be increased from $10 million to $20 million. For the purposes of the threshold, the costs of constructing a new building will include the costs of activities associated with the building’s construction—for example, demolition, excavation, removal and site preparation and remediation. An appropriate cost inflator will be included in supporting regulations so that the Airports Act does not have to be amended periodically to adjust the threshold.

Provision is also being made to ensure that public and local planning authorities are provided with improved information regarding aircraft noise exposure levels and indicative data as to the location of close-in flight
paths used to develop noise exposure forecasts.

It is also proposed that, where a proposed major development has been approved, construction must be substantially completed within five years of the approval being given or else the approval lapses.

Earlier this year the Productivity Commission commenced a public inquiry to examine the effectiveness of the price-monitoring regime in place for airport services at the seven price-monitored airports. To facilitate the timely introduction of any changes flowing from this review supported by the government, an amendment is being made to the Airports Act that will provide for future monitoring arrangements to be addressed through amendment to regulations.

With the Federal Court of Australia recognising in February 2005 that contemporary airport developments can include both aviation and non-aviation uses, in the decision in Westfield Management Limited v Brisbane Airport Corporation Limited [2005] FCA 32, the bill clarifies the clear intention of the government to provide for non-aeronautical development on the airports, within the careful regulatory parameters of the Airports Act. Non-aviation developments can only be permitted where consistent with the airport master plan and where they do not prejudice the future development of the aviation uses at the airport.

The bill includes an amendment relating specifically to planning arrangements at Canberra Airport. Canberra Airport, unlike the other leased airports, has been subject to a dual planning regime involving both the Airports Act scheme and the planning provisions of the National Capital Plan under the Australian Capital Territory (Planning and Land Management) Act 1988. It is proposed to remove Canberra Airport from the operation of the National Capital Plan and place it on an equal footing with the other privatised airports.

Other minor technical amendments will:

- enable airport-operator companies to update their respective Airside Vehicle Control Handbooks, thereby allowing them to deal promptly with issues related to the operation of airside vehicles, rather than through the current regulatory amendment process;
- allow for scope in the future for additional providers of air traffic control and rescue and fire-fighting services at the leased airports. Any such future provider would be subject to Civil Aviation Safety Authority regulatory approval and safety licensing; and
- enable the five per cent limit on airline ownership at the non-core regulated airports to be removed to improve the pool of available investment funds.

These amendments and the consultation guidelines implement several recommendations arising from the Senate committee inquiry into the development of the Brisbane Airport Corporation Master Plan. The government will be referring this bill to the Senate Standing Committee on Rural and Regional Affairs and Transport for consideration. Their scrutiny will help ensure this legislation achieves the best outcome for airport operators and the stakeholders affected by airport development planning processes. The referral of the bill to the committee is further evidence that the government is determined to achieve the best outcome for Australia’s 22 leased federal airports and the communities which surround them.

The bill represents a balanced and measured package of changes which recognise the importance of aviation to national and regional economies while also respecting the
rights and interests of those affected by airport development.

Debate (on motion by Mr Laurie Ferguson) adjourned.

SAFETY, REHABILITATION AND COMPENSATION AND OTHER LEGISLATION AMENDMENT BILL 2006

First Reading

Bill and explanatory memorandum presented by Mr Andrews.

Bill read a first time.

Second Reading

Mr ANDREWS (Menzies—Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service) (9.13 am)—I move:

That this bill be now read a second time.

This bill will amend the Safety, Rehabilitation and Compensation Act 1988 (SRC Act), which is the legislative basis for the Commonwealth Workers Compensation Scheme.

The scheme has come under growing pressure in recent years from increasing numbers of claims, longer average claim duration and higher claim costs. This is, in part, a result of court interpretations of the legislation, some of which have departed from the initial intent of the legislation. The principal amendments contained in this bill are intended to maintain the financial viability of the scheme. The amendments will also improve the administration and provision of benefits under the scheme.

The definitions of ‘disease’ and ‘injury’ are of central importance to the SRC Act. These definitions will be amended to strengthen the connection between the employee’s employment and the employee’s eligibility for workers compensation under the scheme.

The act currently requires a material contribution by employment to a disease before compensation is payable. When originally enacted this provision was meant to establish a test requiring that an employee—and I quote from the then minister’s second reading speech in 1988—‘demonstrate that his or her employment was more than a mere contributing factor in the contraction of the disease’. The issue being addressed was—and again I quote from the then minister’s 1988 second reading speech—‘the Commonwealth being liable to pay compensation for diseases which have little, if any, connection with employment’. Notwithstanding this clear expression of legislative intent, the courts have read down the expression ‘in a material degree’ to emphasise the causal connection between the employment and the condition complained of rather than the extent of the contribution itself.

The bill therefore includes an amendment to restore the initial legislative intent by requiring that an employee’s employment must have contributed in a significant way to the contraction or aggravation of the employee’s ailment.

The current definition of ‘injury’ contains exclusionary provisions which prevent compensation claims being used to obstruct legitimate administrative action by management. These provisions ensure that compensation is not payable in respect of an injury, usually a psychological injury, which arises from reasonable disciplinary action taken against an employee, or a failure by the employee to obtain a promotion, transfer or benefit in connection with employment. The exclusionary provisions are being updated and expanded to include other similar activities which are also regarded as normal management responsibilities—provided, of course, that they are reasonably undertaken. These include matters such as a reasonable appraisal of the employee’s performance,
and reasonable counselling action taken in respect of the employee’s employment.

These amendments to the definitions of ‘disease’ and ‘injury’ seek to restore the operative effect of the legislation to what parliament and the then government intended back in 1988.

The bill also amends the provisions that set out the circumstances in which an injury to an employee may be treated as having arisen out of, or in the course of, his or her employment.

In its March 2004 report on National Workers Compensation and Occupational Health and Safety Frameworks, the Productivity Commission recommended that coverage for journeys to and from work not be provided, and for recess breaks and work related events should be restricted to those at workplaces and at employer sanctioned events. The fundamental common-sense principle underlying the Productivity Commission’s recommendations was, of course, that employers should only be held liable for conduct which they are in a position to control.

Consistent with the Productivity Commission’s approach, the SRC Act will be amended to remove coverage for injuries sustained by employees during journeys between home and work and during recess breaks undertaken away from the employer’s premises—for example, lunch breaks during which an employee leaves the employer’s premises to go shopping.

Employers cannot control circumstances associated with journeys to and from work or recess breaks away from employer premises and it is not appropriate for injuries sustained at these times to be covered by workers compensation.

The bill also enhances various entitlements available to employees under the principal act. The bill will amend the method for calculating retirees’ incapacity benefits to take account of changes in interest rates and superannuation fund contributions since the time the act was first introduced. The change in the interest rate provision would result in increased benefits payable to retirees. Amending the notional superannuation deduction would restore the original policy intent by providing for benefits to affected retirees to be set at 70 per cent of pre-injury normal weekly earnings.

The bill will also increase the maximum funeral benefits payable under the SRC Act—and its counterpart for members of the defence forces, the Military Rehabilitation and Compensation Act 2004—to bring these closer into line with actual funeral costs.

Finally, the bill includes a number of minor technical amendments to the SRC Act which correct anomalies that adversely affect the efficient operation of the act or are inconsistent with the original policy intent behind particular provisions. I commend the bill to the House.

Debate (on motion by Mr Laurie Ferguson) adjourned.
Electoral Act 1918 and the Referendum (Machinery Provisions) Act 1984 contained in this bill relate to electronic voting trials, postal voting, pre-poll voting arrangements and defamation of candidates in response to the committee’s recommendations, and electoral enrolment by Australians who are overseas.

This bill is the second tranche of the government’s legislative response to the committee’s report and follows reform measures that were passed by the parliament on 21 June 2006 in the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2006.

The bill establishes the framework for two trials for electronic voting at the next federal election, with the detail to be prescribed by regulation.

There will be a trial for blind or vision impaired people allowing them to vote independently through the use of electronically assisted voting machines. A printed ballot will be produced for inclusion in the count.

The trial will be conducted at 30 pre-poll voting centres located across Australia and any sight impaired person will be able to cast their secret vote at any of these locations before, or on, polling day. The Australian Electoral Commission will advertise the locations where the electronically assisted voting trial will take place.

The trial will give thousands of blind and vision impaired electors the opportunity to cast a secret vote for the first time at a federal election.

I should say also, in passing, that I attended the trial conducted by the Victorian Electoral Commission during the recent Victorian elections, carried out at Vision Australia in Victoria. It was certainly well received by blind and visually impaired people. For the very first time in their life they were able to actually cast a secret ballot using technology. It was great to see that trial take place in Victoria during that election and, similarly, we will be doing a trial at the next federal election.

The second trial will allow Australian Defence Force personnel serving outside Australia to cast a vote electronically. These people face considerable difficulties when casting their vote as the nature of their work means they are often serving in countries with unreliable postal services or disrupted communications infrastructure.

At the 2004 federal election, the Australian Electoral Commission estimated that about one-third of ADF personnel deployed overseas were not able to vote or have their vote returned in time for inclusion in the count. Based on current deployment figures, this would equate to about 1,500 ADF personnel who potentially would not be able to vote.

This trial will overcome the many difficulties associated with voting options for ADF personnel overseas and will allow them to vote in safety.

In order to protect the security of the vote cast, the trial will be rolled out on the defence department’s secure network. The trial will be developed by the AEC in close consultation with the Department of Defence.

However, as important as these trials are, the government does not consider that either of these trials is a precursor to electronic voting generally.

As the integrity and security of the vote are paramount, the bill provides for the minister to decide in writing if either trial is not to proceed. A decision not to proceed with a trial would take into account consideration of risks to the security and integrity of the vote, including any software or hardware issues.

As the reason for not proceeding with the trial would be based on an assessment of the
integrity of the vote, including a software or hardware failure, the government considers that it would not be appropriate for such a decision to be subject to disallowance by the parliament. While a decision not to proceed with a trial would be a legislative instrument, the bill provides that section 42 of the Legislative Instruments Act 2003 does not apply to such a decision.

The bill also contains measures to improve the arrangements for postal voting.

The bill provides for eligible overseas electors, and Australian Federal Police and ADF personnel serving overseas to register as general postal voters. This will mean that they will be sent ballot papers automatically for each election and referendum without first having to lodge a postal vote application. This should provide more time for these electors to be able to return their postal vote for inclusion in the count.

ADF personnel overseas will be able to lodge a postal vote and to vote as part of the remote electronic voting trial where they have access to the trial. However, and most importantly, only one vote per elector will be counted. This will ensure that their vote will be included in the count in case the trial does not proceed or if there is a delay in the receipt of their vote.

For reasons of operational security, the bill does not allow the release of any information that would disclose information about ADF and AFP personnel serving overseas.

In relation to postal vote applications, the bill provides a deadline for the receipt of postal vote applications after which postal voting material will not be required to be sent to the applicant. Postal vote applications must be received by the AEC by 6.00 pm on the Thursday before polling day in order for postal voting material to be sent to applicants.

For postal vote applications received after this deadline, the AEC will be required to make reasonable efforts to contact applicants to advise them of the need to vote by other means. That contact will usually be by telephone.

This will ensure electors who lodge their postal vote application too late will have the best possible chance of casting their vote by alternative means.

Further, the bill introduces revised delivery arrangements for postal voting material to be sent to electors. For postal vote applications received by the AEC up to and including 6.00 pm on the Friday eight days before polling day, the AEC is required to send the postal voting material to the applicant by post or other appropriate means, unless an alternative delivery option is specified by the applicant.

The AEC will have the authority to assess whether the alternate delivery option requested by the applicant is reasonable and practicable, and if so, must use that delivery method.

As the postal voting material sent to electors includes a postal voting envelope with the declaration certificate and the ballot papers, delivery of this material at any time using electronic means, such as by facsimile or email, will not be permitted.

For applications received after 6.00 pm on the Friday eight days before polling day and by 6.00 pm on the Thursday before polling day, the AEC is required to send the material by the most reasonable and practicable means. In assessing this, the AEC will take account of postal delivery schedules. In a number of cases, it may be that delivery by courier is the most practicable and reasonable means.

The delivery options for postal vote applications will enhance the prospect for applicants to receive postal voting material in
time to complete and return for inclusion in the count, particularly for rural and remote communities with weekly mail deliveries.

The Commonwealth Electoral Act provides that an elector who casts a postal vote shall return the completed postal vote to the appropriate divisional returning officer. Where it is unlikely that the completed postal vote would reach the appropriate divisional returning officer within 13 days after polling day, the Commonwealth Electoral Act currently allows for the envelope to be returned to other AEC officers. These other officers are any divisional returning officer, an assistant returning officer outside Australia, a pre-poll voting officer or a polling place presiding officer.

The bill provides for an expanded range of AEC personnel who will be able to receive completed postal votes. The additional personnel will include:

- mobile polling team leaders;
- electoral visitors at special hospitals and prisons;
- AEC office holders, senior executive staff, and AEC employees engaged on an ongoing basis under the Public Service Act 1999, located at the AEC’s capital city offices.

Procedures for dealing with completed postal votes received by the expanded range of people will be the same as those that apply for the AEC officers who can currently accept postal votes.

This will provide greater flexibility and options for the return of postal votes in time for inclusion in the count.

In addition to these legislative measures, the AEC will conduct an extensive advertising campaign to alert voters to the issues relating to postal voting.

The bill also provides for the AEC to be able to set up pre-poll voting offices in emergency situations, without the need for prior gazettal before the offices could operate. The AEC will be required to publicise information about the new pre-poll voting office (such as location, time and days of operation), notify relevant candidates and political parties, and gazette the details of the pre-poll voting office as soon as possible.

This will allow the AEC to respond quickly to unexpected and unanticipated changes to voter service requirements.

Electoral legislation passed in June 2006 introduced proof of identity requirements for enrolment, re-enrolment, changes to enrolment details and for provisional voting.

There are three levels for the proof of identity scheme:

- the applicant is to provide his or her drivers licence number (first tier);
- if an applicant does not have a drivers licence, the applicant needs to show a prescribed identity document (such as a passport or birth certificate) to a prescribed class of elector (second tier);
- if an applicant does not have any of the identity documents, then he or she needs to have the application countersigned by two electors who have known the applicant for at least one month and who can confirm the applicant’s name (third tier).

As it may be difficult for overseas applicants to meet these requirements, the government considers that they should have the option to provide their Australian passport number as an alternative to the first tier requirement of the drivers licence. The AEC will verify the passport details with the Passport Office.

The bill provides for regulations to allow for this alternative for Australians enrolling from overseas.

Finally, the bill repeals the provision of the Commonwealth Electoral Act that relates
to defamation of candidates. Defamation cases will, instead, be dealt with in accordance with existing defamation laws in the relevant state or territory jurisdiction.

I commend the bill to the House.

Debate (on motion by Mr Laurie Ferguson) adjourned.

ROYAL COMMISSIONS AMENDMENT (RECORDS) BILL 2006

First Reading

Bill and explanatory memorandum presented by Mr Turnbull.

Bill read a first time.

Second Reading

Mr Turnbull (Wentworth— Parliamentary Secretary to the Prime Minis-

ter) (9.33 am)—I move:

That this bill be now read a second time.

This bill amends the Royal Commissions Act 1902 to enable the making of regulations which will facilitate the use of records of royal commissions for other purposes. It is a technical bill, which is relevant to the just-completed inquiry into certain Australian companies in relation to the UN oil for food program, also known as the Cole inquiry, but will also be relevant to other inquiries under the Royal Commissions Act.

The HIH Royal Commission (Transfer of Records) Act 2003 was enacted in 2003 to give the Australian Securities and Investments Commission custody of documents which had been obtained by the HIH royal commission. This bill provides a framework for the making of regulations to similar effect, which will be able to be used for any royal commission, past or future, to provide for custody of documents, access to documents, and use of documents, by appropriate persons or bodies, as may be prescribed by the regulations.

The regulations to be enabled by the bill would remove any doubt that records of a relevant inquiry can be passed to other bodies and used for investigative and prosecutorial purposes, notwithstanding that they were initially obtained for the purposes of an inquiry under the Royal Commissions Act, and without having to go through consultative processes before records are passed on. The regulations would also ensure that original records do not have to be returned to the parties which originally provided them to the inquiry, for so long as they are needed for investigative and other purposes.

The bill is urgent because it will provide the capacity to make regulations concerning the provision of relevant records of the Cole inquiry to appropriate authorities. Commissioner Cole recommended that a task force be established, comprising the Australian Federal Police, Victoria Police and ASIC, to consider possible prosecutions in consultation with the Commonwealth and Victorian directors of public prosecutions. The regulations that will be able to be made when the bill has been passed will assist in expediting consideration of whether proceedings should be commenced in relation to the possible breaches of the law identified by the Cole inquiry. Urgent passage of this bill is necessary to ensure that this work can commence as soon as possible.

The operative item in the bill introduces a new section 9 into the act, which will allow for regulations to be made in relation to specific royal commission records. Such regulations would be able to:

- provide for the custody of some or all of a royal commission’s records;
- specify purposes for which a custodian may use, or must not use, records;
- provide for circumstances in which a custodian must, or may, give records to another person;
provide for circumstances in which a custodian must, or may, allow access to records to other persons; and

specify purposes for which persons given access by a custodian may use, or must not use, those records.

The bill makes clear that, subject to the regulations, a custodian or a person given access to records by a custodian, pursuant to regulations, would be able to use the records for the purposes of the performance of their functions and the exercise of their powers, or for any other purpose for which they could use the records if they had acquired the records in the performance of their functions or the exercise of their powers.

As mentioned previously, the bill puts beyond doubt that, if regulations are made providing that a person or body is to have custody of a royal commission’s records, the custodian, or a public office holder or authority given access to the records by the custodian may deal with the records without needing to obtain the consent of, give notice to, give an opportunity to make submissions to or take into account submissions made by the owner of the records or any other person.

It should be noted, however, that the bill preserves, for the avoidance of doubt, the operation of section 6DD of the Royal Commissions Act, which provides that certain statements by a witness before a royal commission are not admissible in evidence against the witness. The bill similarly preserves any rights to legal professional privilege which may exist in respect of a royal commission record, or material referred to in a record, notwithstanding any custody of or access to the record that may be effected under regulations or as a result of a direction under the Archives Act.

The amendments will have no financial impact. I commend the bill to the House.

Debate (on motion by Ms Roxon) adjourned.

PARLIAMENTARY ZONE

Approval of Proposal

Ms LEY (Farrer—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (9.38 am)—On behalf of the Minister for Local Government, Territories and Roads, I move:

That, in accordance with section 5 of the Parliament Act 1974, the House approves the following proposal for work in the Parliamentary Zone which was presented to the House on 28 November 2006, namely: Directional and interpretive signage.

The National Capital Authority proposes to provide way-finding signage in the Parliamentary Zone. There are four sign types proposed: traffic, which directs motorists to key national institutions and attractions in the Parliamentary Zone; lay-by, which provides motorists with a map including the Parliamentary Zone and Anzac Parade; interpretive, which provides visitors with information on sites of interest and an orientation map; and pedestrian, which provides a map of the Parliamentary Zone identifying where the visitor is and key national institutions and attractions.

The National Capital Authority has advised that it is prepared to grant works approval to the proposal, pursuant to section 12(1)(b) of the Australian Capital Territory (Planning and Land Management) Act 1988. The approval of both houses is sought under section 5(1) of the Parliament Act 1974 for the Parliamentary Zone directional and interpretive signage.

Question agreed to.
PROHIBITION OF HUMAN CLONING FOR REPRODUCTION AND THE REGULATION OF HUMAN EMBRYO RESEARCH AMENDMENT LEGISLATION

Dr WASHER (Moore) (9.40 am)—by leave—I move:

That so much of the standing and sessional orders be suspended as would prevent the Member for Moore from moving the second reading of the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006, and moving any motions necessary in connection with later stages of the bill; and unless otherwise ordered, the bill having precedence over government orders of the day.

Question agreed to.

PROHIBITION OF HUMAN CLONING FOR REPRODUCTION AND THE REGULATION OF HUMAN EMBRYO RESEARCH AMENDMENT BILL 2006

Second Reading

Debate resumed from 27 November.

Dr WASHER (Moore) (9.41 am)—I present the explanatory memorandum to the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006, and I move:

That this bill be now read a second time.

I would like to especially thank Senator Kay Patterson for this great effort and the excellent work she did. Kay, you were a sensation; you did a great job. I would also like to thank Natasha Stott Despoja and Ruth Webber, two senators who were very cooperative in the formation of this bill, and the many senators who supported the bill on both sides of the house. My thanks must also go to the scientific community and the excellent work done by the Lockhart committee.

The Senate amendments are scientifically acceptable and basically increase penalties for prohibited practices, prevent the use of animal ova in somatic cell nuclear transfer (SCNT), and propose a review to consider a national legislative or regulatory approach to non-blood human tissue based therapies. Any attempt to have further amendments in this House will be totally unacceptable as we all know the bill would not survive a review by the Senate.

The main issue of contention in the Lockhart review is SCNT. SCNT is where the nucleus of a patient’s cell—for example, a skin cell—is removed and put into an unfertilised ovum that has had its nucleus removed. This egg now containing the patient’s DNA, the blueprint for life, is chemically and electrically stimulated causing it to divide and form a blastocyst or a ball of cells. Within this ball of cells there are a number of unique embryonic stem cells that are capable of forming all the tissues of the human body. These cells are harvested and then put into a culture medium and molecularly stimulated into a lineage to create patient specific tissue. This tissue is then used for the purpose of research for the development of novel drugs to be used in therapy against the patient’s disease, or the tissue can be used for implantation, for example pancreatic insulin secreting tissue in people who are insulin dependent diabetics. This tissue, being patient specific, does not require immunosuppressive drugs that may cause a much higher risk of cancer and infection. It is interesting to note that tissue derived from embryonic stem cells (ESC) has better transplant tolerance than adult stem cells (ASC). Australia’s most eminent scientists believe that this will be the next great step towards achieving treatment for the chronic and disabling diseases that are so prevalent amongst our population. Adult stem cells are rare and extremely difficult to grow in culture and after 30 years have only achieved nine US FDA real treatments, all related to bone marrow generated diseases.
One of the scientific problems that has been raised with ES cells is the development of teratomas. This problem has largely been overcome by research using CD30 markers, alginate covering of the cells and molecular triggers—for example noggin, which directs the formation of neuroectodermal tissue, and now the ability to separate any ES cells from the formed tissue. In other words, if there are no residual ES cells there are no teratomas. The latest cancer research shows the source of many common cancers is in fact due to adult stem cells.

Cited chromosomal breakdown has not been demonstrated in cell lines in culture since 1998 unless the cultures were subjected to mutagenic trauma.

Egg donation will be voluntary. These eggs are not fertilised by sperm. The eggs could be sourced by donation from IVF unfertilised eggs or derived from ovaries removed for medical reasons and probably eventually from ovarian tissue formed by ES cells themselves. Cardinal George Pell’s assertion that these ova could be harvested from human foetal tissue is covered under state legislation and underpinned by guidelines issued by the National Health and Medical Research Council. Human foetal tissue is already accessible to Australian researchers and has been available since 1980 under carefully regulated conditions and has been used for many important studies. This is simply an extension of existing legal access to foetal tissue already occurring in Australia and in other countries in the world. The bill ensures the current principles of informed consent for participation in medical research and maintaining the prohibition of the sale of eggs and embryos. The NHMRC has the appropriate expertise and experience to develop guidelines for egg donation, and is already responsible for guidelines on consent for assisted reproductive technology and human tissue.

The legislation for approval of SCNT exists in many countries throughout the world including the USA, the UK, Sweden, Singapore, China et cetera. If this parliament does not approve of this technology it would appear that at least three Australian states will legislate to have it legalised.

Opponents of this legislation seem to base their opposition on the destruction of SCNT embryos which is necessary to harvest the patient specific ES cells even though there has been no sperm involvement. There is no possibility of forming life without intra uterine implantation, which is totally illegal with severe jail penalties. The hollow ball of insensitive cells the size of a grain of sand, containing the DNA of a patient with an intractable disease is designed only for the purpose of cellular culture therapy. For more than 20 years sperm/egg embryos have been destroyed in the treatment of infertility by IVF. More than 30 per cent of women of reproductive age take the oral contraceptive pill which prevents implantation of sperm/egg embryos.

So let us support the majority of Australians who welcome this research which in animal models has already proven successful in macular degeneration, creation of oligodendrocytes necessary for spinal cord injury recovery, dopamine producing cells necessary for treating Parkinson’s disease, heart cells necessary to treat many forms of heart disease and insulin producing cells needed to treat insulin dependent diabetes mellitus already proven with human ES cells.

I commend this bill to the House.

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

Ms GILLARD (Lalor) (9.48 am)—I second the motion to facilitate this House having the debate that it has to have on the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Re
search Amendment Bill 2006. Almost exactly four years ago, parliamentarians made a landmark decision to allow research on excess assisted reproductive technology embryos so that progress could be made in infertility research and in-vitro fertilisation to assist couples who could not otherwise have children and that research could be undertaken using embryonic stem cells derived from these embryos. That legislation also banned human reproductive cloning and placed a moratorium on therapeutic cloning or somatic cell nuclear transfer. Most importantly, the bills which were enacted into law both clearly mandated an independent review of the legislation within three years to assess the developments in technology in that time period; to assess the developments in medical research and scientific research and the potential therapeutic applications of such research; and to assess any change in community standards.

That independent review was conducted by a committee appointed by the then Minister for Ageing in consultation with the states and territories. The committee that conducted the review were experts in law, science and ethics and were ably chaired by the late John Lockhart. The committee consulted extensively through written submissions, face-to-face meetings, facilitated stakeholder discussion forums, a review website and selected site visits. They also tried to get a handle on public opinion through focus groups and telephone surveys. They conducted a literature review of what had happened in the scientific field since the legislation last passed this House. On this basis, and having regard to their terms of reference, they provided the federal parliament with 54 recommendations.

It is now 12 months since those recommendations were provided to us, and they have now been subjected to further scrutiny through the work of the Senate Standing Committee on Community Affairs. I think we should acknowledge that the bill that we have before the House today is only here because of the hard work of Senator Patterson and her colleagues, especially Senator Ruth Webber and Senator Natasha Stott Despoja, and the willingness of Dr Mal Washer, who spoke before me, to pick up the task in the House of ensuring that we debate this bill today. This bill basically encapsulates the majority of the recommendations of the Lockhart review and it is, in my view, incumbent upon this parliament to deal with those recommendations seriously.

The bill is about a number of important issues. It is not all about stem cells and cloning; it is also about strengthening and improving the current legislative and regulatory regime and about improving methods for achieving pregnancy through assisted reproductive technologies. The bill continues the absolute ban on reproductive cloning to make a whole new human being. I think that is something everyone agrees with. The bill also recommends that clinical practice and scientific research involving assisted reproductive technology and the creation and use of human embryos for research purposes should continue to be subject to specific national legislation.

The bill continues the current ban on the trade and commodification of human eggs, sperm and embryos. The Lockhart review found that an inadvertent effect of the 2002 legislation had been to prevent research into improved methods for achieving pregnancy in ART clinics and that it was inadvertently impeding training and quality assurance activities at these clinics.

This bill enacts a number of recommendations that will address these inadvertent consequences of the last legislation, including permitting procedures to test human eggs for maturity and to test egg and sperm viability—it should be noted that these procedures
were allowed prior to the 2002 legislation—and simpler applications for licences where these are solely for training and quality assurance activities in ART clinics.

The bill contains a number of provisions that will improve current licensing arrangements; that will ensure that vacancies on the National Health and Medical Research Council Licensing Committee are promptly filled; that will provide for the inspection of non-licensed facilities to ensure that laws and guidelines are being complied with; and that will impose significant criminal penalties, including up to 15 years jail, for breaking the law.

The bill also requires the minister to report to parliament on the establishment of a national stem cell bank and a national register of donated excess ART embryos. This will help facilitate research and ensure that this research material is used as widely as possible.

The bill will, under stringent licensing conditions, allow for two new activities not previously permitted but recommended by the Lockhart review. The first of these is the use of so-called fresh embryos. Those are embryos generated in the process of IVF that have been found to be unsuitable for transplantation usually because of genetic flaws and, if they were not used for research purposes, they would otherwise be discarded. Arguably the use of these embryos is not permitted under current legislation, and so it is a part of this bill to ensure that the use of fresh embryos is possible. That arises in part because there was an ambiguity in past law and that ambiguity is cured by this bill.

The second new activity not previously permitted but recommended by the Lockhart review is the use of human embryos created by somatic cell nuclear transfer and other techniques that do not involve the fertilisation of a human egg with a human sperm. Such embryos are to be created only for the development of specific embryonic stem cell lines as is currently legally permitted in the United Kingdom, Sweden, Japan and Singapore. It is of course this latter point which has been the subject of most controversy and the most attention, and it is to that which I will now direct my remarks.

In dealing with the ethical issues posed by somatic cell nuclear transfer and by the Lockhart review suggestion that embryos be created by somatic cell nuclear transfer for the purpose of research, I have found it easiest to analyse the issues by concentrating on the definition of an embryo and analysing what this bill permits and does not permit in relation to an embryo. Since the enactment of the 2002 bill, the NHMRC has had an expert group look at the definition of ‘embryo’, and this bill changes the definition to reflect the consensus reached, using terminology that is biologically accurate, clearly understandable and unambiguous. An embryo for the purpose of this legislation is an entity created by a sperm fertilising an egg. Such embryos cannot be created for other than IVF purposes. Under licence, these surplus embryos can be used for stem cell research. In that regard, nothing in this bill changes the current law.

But in the definition of an embryo in this bill is also included an entity created by somatic cell nuclear transfer or other techniques which do not involve a sperm. In particular, an embryo includes the cellular entity formed when an egg, from which the nucleus has been removed, is then combined with material from an adult cell and allowed to divide into a multicell stage. It is not known whether this entity, if it were implanted in a woman, would result in a baby. However, it is the technology used to create Dolly, the sheep, and consequently this entity needs to be acknowledged as having the theoretical potential to create a human life.
The reason for using the technique of somatic cell nuclear transfer is to create an entity genetically identical to the donor of the adult cell. Scientists seek to do this to study disease development by using adult cells from individuals with that disease. The other reason is to generate stem cells genetically identical to the donor with the theoretical capacity to grow into tissue the donor will not reject. This is the debate people would have seen publicly about growing, for example, new spinal cord. It is these embryos—embryos created without a sperm—that under this bill can be deliberately created for research. This is the major change since the last legislation.

It should be noted that, under this bill, embryos, no matter whether they are surplus IVF embryos or embryos created without sperm, must not be allowed to develop beyond 14 days. Those who have objected to the creation of embryos without sperm for the purpose of research have put two main arguments. They argue that embryonic stem cell research is bad science. There are those who argue that we do not need embryonic stem cells. But this ignores the fact that embryonic and adult stem cells are fundamentally different. We need to understand the basic science of these cells and their differences before we can determine which would be most useful for the many disorders we seek to treat.

The scientific evidence points to the obvious fact that, in such a rapidly moving area of science, we need to support a variety of research efforts within and across embryonic and adult stem cells. There are those who claim that, because the hoped-for breakthroughs in therapy from embryonic stem cells have not occurred in the last three years, we should abandon this approach as fruitless. But scientific breakthroughs do not come as expected or, indeed, as needed: it took 50 years to develop a vaccine against polio; it took around 15 years to develop the new Gardasil vaccine against cervical cancer; and, more than 30 years after Richard Nixon committed $100 million to find a cure for cancer, that has not happened. But, last year, the US government committed over $6 billion to cancer research, because some wonderful progress has been made.

It is easy in politics, I think, to characterise the statement ‘We don’t know what we don’t know’ as a slipshod political statement—indeed, we have had some of that in the House this week—but I think in relation to this bill that it is a true statement: we don’t know what we don’t know. We do not know, unless we could fast forward the clock 50 years, whether scientific progress will have come through embryonic stem cells or adult stem cells. We do not know that now and we cannot know that now. The only way we will ever know is to allow both sorts of research to proceed. No-one could offer an assurance that, if we were to stop embryonic stem cell research, at the end of those 50 years we will have made all of the scientific advancements that we could. We would be shutting off one avenue that may lead to those scientific advancements. Consequently, because we don’t know what we don’t know, I believe that we cannot avert our eyes from embryonic stem cell research. I do not accept the argument that embryonic stem cell research is bad science.

However, that does not resolve the key ethical issue of whether it is right to create an entity that has a theoretical capacity to become a human being, for the purpose of research. I have carefully considered this question, which I acknowledge is most certainly not an easy one. I am assisted by the clear intent of the bill that such an entity would not be allowed to develop beyond 14 days, a stage which is prior to the development of the primitive streak on which all further de-
development would be based. At this stage the embryo, which consists of around 100 cells, is referred to as a blastocyst. I have considered what is right and wrong in this matter. It is a question on which very reasonable people can differ, and I have determined that, in my view, it is ethically permissible to allow the course proposed by the bill to facilitate research that is of unknown and unknowable potential. I do not believe it would be right to not explore the potential of this research to cure the disease and disability which cause so much suffering.

There are some final points I would like to make about Australia’s legislative and regulatory approach to these issues. We should not lose sight of the importance of the fact that Australia has an excellent national legislative regime in this area—one that covers all ART and research activities in Australia, no matter where they are conducted or how they are funded. We should have national legislation in fields such as this. The enactment of this bill will see this regime backed up with very strong oversight and penalties. The regime is also backed up with a series of NHMRC guidelines that address informed consent, institutional ethics approval and the ethics of working with human subjects. Senator Colbeck’s amendment to this bill in the Senate will mean that there will be an opportunity to look at the current state and territory laws which govern the donation of human tissue and organs and their use in research. Finally, because this is an area where science and medicine and public opinion are all moving forward, the bill requires another review, like the Lockhart review, to report to the Council of Australian Governments and both houses of parliament within four years.

In my view, we should not resile from the responsibility to follow the consequences and implications of our votes on this bill and the act it will amend. We should ensure that future reviews are dealt with thoroughly and properly by this House. This is not an easy bill for this parliament to deal with. It is not an easy bill for individual members to make up their minds on. All of the political parties in the parliament have extended to their members a conscience vote, and that is highly appropriate. I think we need to recognise with great courtesy and respect that there are those who cannot support this legislation, and in turn they must acknowledge that in this pluralist society there are many views on these issues and that ethics is not the purview of any one group. The 2001 report on human cloning from the House of Representatives Standing Committee on Legal and Constitutional Affairs addressed this:

One view of the status of the embryo should not be imposed on society as a whole especially when to do so may be to the detriment of those with serious or debilitating illness or disease. There is also a broader duty to society to be taken into account ...

I agree with those words. I believe we need to distinguish the ethical and moral arguments from the scientific and biological ones, and we need to understand that they both have a place and a right to be heard. From time to time in our political lives we are given the opportunity to make important decisions that shape the future and determine what sort of country we will be. I believe this is one of those occasions, and I support the bill.

Mr BROADBENT (McMillan) (10.07 am)—My contribution is made as a legislator, not as a scientist, and I bring an open mind and an honest heart to this debate. I have not the arrogance to believe that on all matters I hold the one true view, that my opinion is necessarily the correct and only one. In this debate there will be disagreements and arguments over ethics and principles. Embryonic stem cell research and somatic cell nuclear transfer are difficult mat-
ters for us as members of parliament to consider.

Ethical divisions and uncertainties are inherent in the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006. We are dealing with matters at the very boundaries of scientific understanding. Australia does play, and should be able to continue to play, a leading role in the world of scientific endeavour. That is why I stand here today in support of and alongside former Australians of the Year Sir Gustav Nossal and Dr Alan Marshall and current Australian of the Year, Professor Ian Frazer.

My background is in retailing—selling suits, shirts and ties. I do not pretend to understand the science behind modern medical progress. However, I do understand the impact medical advances of the last half century have had on our health and wellbeing. Initially there was disquiet, even outright opposition as there is in this place today, and then a gradual acceptance that fears of discovery, fears that the fruits of scientific research will destroy the moral fibre of society, were groundless fears. Professor Ian Frazer, in a letter to me earlier this year, tellingly made that very point. He said:

In the 1970s there was considerable public debate about the morality and safety of genetic engineering and a worldwide moratorium on research in the area was considered.

He continued:

If the moratorium had been implemented, then the cervical cancer vaccine would not have been developed in the 1980s and a means to prevent half a million deaths worldwide each year would not have been developed.

When Joseph Lister began using carbolic acid solution to wash his hands before surgery, many of his contemporaries laughed at him. But Lister was said to have never bothered to reply and only heaved an occasional sigh at the world’s stupidity. If those in this place are derided and draw the wrath and condemnation of those who came to a stance of disagreement with this bill, so be it.

Consider, too, the apprehension in society—which I am old enough to remember—when the South African surgeon, Professor Christian Barnard, pioneered kidney transplant surgery in the late 1950s, then performed the first open-heart operation and then, in the following decade, performed a heart transplant. There was debate back then on the ethics involved in applying the findings of scientific exploration to saving and prolonging human life. The doomsayers predicted dire consequences from man interfering with the natural order. Today, kidney transplants, liver transplants and even heart and lung transplants are commonplace. The one tragic thought, though, behind all of these surgical marvels is the fact that someone—often a young person—has to die in order that someone else has another chance at life.

In the five decades since these transplants were pioneered, we have come to terms with the ethics involved with having someone else’s organs implanted. Five decades in terms of human history is a relatively short time, and the advances that have been made have been remarkable. In addition to transplant surgery, in-vitro fertilisation and surrogacy have meant much to couples who in an earlier era would have gone through married life without the joy that children bring and which the wider population takes for granted.

All of these advances were part of the evolution of medical science that this bill seeks to further advance. All their development met with degrees of ethical debate around well-founded, genuine concerns. However, these hurdles were overcome and society today accepts these procedures as a part of ethical medical practice. After all,
who would deny a childless couple the natural experience of parenthood? Who would deny a young child the opportunity of the experience of life? Who would deny sufferers of kidney disease the opportunity of a normal life that did not involve regular sessions of dialysis?

When Christian Barnard performed his first heart transplant at the Groote Schuur Hospital in Cape Town, it was a major triumph for medical discovery; now it is simply a major operation. Stem cell research is still in its infancy. We know not for certain what those enquiring minds will produce, but there is the promise of a fundamental change in the course of history by providing cell replacement therapies for many debilitating and life-threatening diseases.

Today we must again spur on our physicians to keep pace with the further development of science and technology, or let tremendous opportunity fall away. Times change and so can attitudes. Of course there are hazards, among them the risk that none of these endeavours will bring to fruition what we most desire. But, if the dangers involved in landing a man on the moon and returning him safely to earth, adapting penicillin to administer safely or taking X-rays of patients without giving them cancer were too great a risk to ever venture, where would we stand today?

During this debate attempts have been made to discredit science and scientists. When speaking with an immunologist in the field whom I will name only as Ray, he said with the sincerity that only a father could have:

We are not monsters or ogres we are fathers and mothers just as the rest of the community—not closeted away from reality nor set apart in some scientific ethics free zone.

He continued:

This bill could do me out of a job. Wouldn’t that be great?

This is the real world. We are talking about real people with real problems looking to science for breakthroughs that can change their lives for the better. Where is the will of a nation to go beyond—to push past the boundaries set by the unchangeable—to that place of excellence in ethics and science that would propel our most incredible minds to seek beyond current thinking for new therapies in a yet unimagined quest for breakthroughs in medical science?

Australia, the US and Israel are the three countries in the world leading the way in stem cell research. Australian Dr Barry Marshall, who earned the 2005 Nobel Prize for his work on the causes of stomach ulcers, said:

We can be 100 per cent certain that if the current legislation stays in place in Australia there will be no more advances in this area and everybody who’s interested in it will go overseas.

In my home state of Victoria, Professor Alan Trounson, Director of Monash Immunology and Stem Cell Laboratories, says the ‘brain drain’ of scientists has already begun. It is already difficult to attract good researchers and we do not need to place additional hurdles in their way. We need to give our own researchers the opportunity to work with global colleagues here in Australia.

Do we as a nation of hope for generations turn away from stem cell research that may have potential to prevent suffering? The ethics of depriving the community of potential cures should also be considered. To this end, we as legislators set numerous regulations and ethical standards to be adhered to by the scientific community. The continued prohibition of the sort of research this bill would allow will be a disaster for medical research in Australia, in my opinion. As a nation we will not be simply standing still; we will not
even lose ground. The effect will be that we will crash backwards in terms of medical research. It will rob us of the opportunity of punching above our weight in this policy area, as we do in so many other areas. Researchers will go offshore to continue their work or some will be tempted to seek ways of circumventing the law and carrying out their research without regulatory supervision.

Australia needs a policy framework that will enable groundbreaking medical research to continue here with proper checks and balances in place. This bill is our chance to set those ground rules so as to allay the fears of those who have well-founded objections to some aspects of the unknown. Those opposed to research using embryonic and somatic cell nuclear transfer have urged that research be restricted to adult stem cells. The Howard government has in fact had a long record of funding adult stem cell research. Through the Backing Australia’s Ability programs the government has committed $34 million, and through the NHMRC $32 million was provided specifically for adult stem cell research. In this year’s budget this commitment was further strengthened with an additional $22 million. This demonstrates a major investment in adult stem cell research as a potential to prevent and treat disease and improve the lives of Australians.

I am asking now that somatic cell nuclear transfer and embryonic stem cell research be given the same opportunity as adult stem cell research. No human being should be condemned to a life of suffering when the opportunity to seek out a cure awaits our assent. We, a people of innovative explorers, should never be self-censored by our collective fear of the unknown, the untried and the untested. The gravest misdoing in this debate would be for us to do nothing when we have the power to do something. It could be likened to the indifference of condemning a sufferer of pneumonia when there is penicillin on hand, or sentencing a diabetic when there is insulin, or abandoning a quadriplegic and telling them they are not worth hope.

People are not looking for a Liberal solution or a Labor solution or, indeed, a particular brand of solution—they are just looking for a right solution. I speak today for those many Australians who cannot speak for themselves and for their families, their careers, their friends and those given the responsibility for their continuing quality of life. I speak today in hope for the hopeless, that we might rise to challenge the nation for those whose every breath and whose every move is a challenge to be conquered. I speak today for the potential beneficiaries of cell replacement therapies.

Being a singer of songs and a lover of lyrics, I am taken by Shane Howard’s heartfelt words in his song *Flesh and Blood*:

> You’re flesh and blood … Don’t refuse me your love.

Those words rang in my ears as I considered my position on this debate today. To oppose this bill would be to ‘refuse my love’ to those who could benefit from the passing of this legislation. I ask members of the House to believe with me and put our collective faith in the integrity and ethics of our medical scientists, enabling them to rise to this, one of the great challenges of our time. I support the bill and commend it to the House.

Mr CREAN (Hotham) (10.20 am)—I rise also to support the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006. This debate on the use of human embryos for research is in many ways an extension of the debate that we held in this parliament back in 2002. As then, this legislation now is subject to a conscience vote. That is rather unique in the parliament but it does attest to the sensitivity of this crucial issue. As elected legislators to this parlia-
ment, we approach this subject on this occasion as individuals, bound not by party policy nor by party discipline. It is up to us as individuals to examine our consciences and to make our own decisions in the light of the research, of our questioning of the issues and of our own values.

The issue and the debate this time is no less difficult nor less complex than it was in 2002, but then as now we are well informed. We have not rushed into these issues. There has been much to inform us in relation to this very complex subject, seeking as it does to balance the challenge of research to improve the quality and longevity of life and the ethical considerations associated with allowing that very research.

In essence, we are having this debate for two reasons: first, because medical science and knowledge have advanced in the past four years and, second, because one of the safeguards built into the previous legislation passed by this parliament in 2002 was the requirement for a review after two years. The proponents of this bill, which I support, want amendments to allow advances in medical research and sciences which aim to cure diseases for which presently there is no cure. Those opposed argue on ethical grounds for the sanctity of human life.

In 2002, the parliament decided to prohibit human cloning, to prohibit the creation of human embryos other than for assisted reproduction programs and to allow the use of excess human embryos from those assisted reproduction technology programs for research purposes but subject to strict regulation. The legislation also required a review. That review was conducted by the Hon. John Lockhart and subsequently became known as the Lockhart report. That committee reported in December last year.

In June 2006, the Prime Minister responded to the report, saying that the government would not be putting forward changes to the legislative framework for research involving human embryos. It was against that background that two private members’ bills emerged, one proposed by Senator Stott Despoja and Senator Webber in a joint approach and tabled as a draft bill in the Senate, and Senator Patterson’s proposal, which we are subsequently debating.

In essence, this bill incorporates most of the recommendations of Lockhart—that exhaustive review required by the 2002 legislation. While I recognise the sensitivity of this issue and the strongly held views of many people in relation to it, and while I have considered the number of letters and emails from my constituents about this bill, both for and against, clearly it is an issue that concerns many people in our community. I have had to consider their views. I have had to consider the information the parliament requested and on which we were reported to. I thank all those people who have taken the trouble to write to me. I always appreciate their input as their representative in this parliament.

Against all of that, I have also reviewed my reasons for supporting the bill back in 2002. I think the reasons for support then remain valid today. I am reinforced in that view by the research and the analysis in the Lockhart report. The 2002 bill allowed, as I said, research on embryos created for IVF purposes that would otherwise be destroyed. At the time, I thought that that was important to support because it gave hope to people with presently incurable diseases and for the health of future generations. It allowed our world-leading biotech scientists to continue their research and to further develop our knowledge and, importantly, it allowed this issue then, as it is now, to be the subject of a conscience vote.

I supported the bill in 2002 because it was the right thing to do, the right thing for peo-
people with chronic diseases who presently have no cure, the right thing for future generations and the right thing for the scientific research community—and it is the right thing for our future knowledge as, hopefully, a growing knowledge economy. I believe the significant advances in science and research, and the limitations posed by the existing legislation, which have been exhaustively considered by Lockhart, warrant the further changes that we are debating today.

The Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 implements most of Lockhart’s recommendations. Stem cell research holds out hope to people suffering chronic, debilitating and often ultimately fatal diseases like diabetes, Parkinson’s and motor neurone disease. I came to the view that embryonic stem cell research should be permitted because of my belief in the value of IVF treatment in giving couples the chance to be parents, to have their own children, a joy which previously had been denied them. The surplus embryos produced for IVF, I believe, could be used for research as they would be destroyed in any case. I was persuaded that those stem cells should be used in research to find cures for the diseases I have mentioned. I came to that view particularly not just from reading the research but from meeting many sufferers of these diseases, people making the plea to us, as their representatives in this place, to give them hope. They were firmly convinced that their hope lay in future research into this important area.

Recently, I attended a forum on diabetes that further reinforced my belief. It is true that the cures for many of these diseases are not immediately imminent, that they may be years away. Unfortunately, many people may die before cures are found. Nevertheless, the pleas again from the patients and from the researchers who attended that forum are compelling: ‘Let the research continue. Give us the hope, give us the opportunity, give us the belief that we can be cured.’

So we must find a way. Australia has a great history of medical research and medical discoveries. I not only want us to participate in that research; I want us to be in a world-leading position in that research. Some of our best and brightest medical researchers have left Australia, or would consider leaving if this legislation were to fail, because they would not be able to legally carry out their research here and, because of their ethical position, they will not carry it out illegally. We should ensure that our law allows them to do it, but with appropriate and strict safeguards.

Medical science has moved dramatically in this area in the last four years. I think it is important to point out that, at the time we passed the legislation, we included significant safeguards in it—for example, a prohibition on human cloning and human-animal hybrids. This bill goes further. It prohibits the creation of a human embryo, by fertilisation of a human egg with human sperm, for a purpose other than achieving pregnancy in a woman. It also prohibits the creation or development of a human embryo by fertilisation of a human egg with a human sperm that contains genetic material provided by more than two persons. This bill also proposes that human embryos can be created for the purposes of research, but only under strict regulation by the National Health and Medical Research Council. The point I make is that, in many significant respects, this bill introduces stronger safeguards against abuse than were passed by the parliament in 2002.

The Australian Academy of Science, Australia’s pre-eminent and highly respected scientific body, advocates Australian participation in international stem cell research. Like many other scientific bodies, the acad-
emy has commented on this issue. It advocates that we participate in international stem cell research—obviously subject to strict ethical standards. The academy reinforces the fact that there have been important developments since 2002, but, significantly, says new research shows the value of the use of adult and embryonic stem cells in efforts to find cures for presently intractable diseases. Importantly, the academy says:

Adult stem cells from a patient have the great advantage of proven safety and the absence of immune rejection. Embryonic stem cells and their relatives made by somatic cell nuclear transfer have the great advantage of being able to make every kind of cell in the body and to multiply indefinitely. The recommendations of the Lockhart committee will allow both adult and embryonic stem cell research to proceed in parallel to maximise the opportunity of developing medical applications from this research.

Like many others, the academy supports the recommendations of the Lockhart committee and, of course, this bill.

The basic ethical issue raised by many people is that the bill will permit the creation of embryos which will then be destroyed during the research process. Some people take the view that these embryos are human life—which should not be killed. However, we presently permit the creation of embryos for IVF. Once one embryo is allowed to develop into a foetus and a human baby, the other embryos are discarded—effectively, destroyed.

What we are proposing in this bill is the creation and destruction of embryos for the purpose of research into ways to preserve life and find cures for diseases. I believe that this process and its aims and IVF are equally worthy. It should be permitted, albeit with the safeguards against abuse that are included in the bill. I do not accept the ‘slippery slope’ argument that, once we accept therapeutic cloning, the acceptance of reproductive cloning becomes inevitable. In this parliament we often have to make difficult legal and moral judgements. One action does not necessarily lead to another in any area of legislation. It is up to us to be constantly vigilant to ensure that there are safeguards in place. That is why we have strict safeguards here. That is why it is also proposed that the legislation we pass, if it is the will of this House, be subjected to further review after six years.

This is a conscience vote. I respect the different views that are being expressed here and in the Senate, but I strongly believe that we should pass this legislation. It is the right thing to do. It will bring hope to those suffering from cruel and painful diseases for which there is presently no cure. We can ensure that there are strong safeguards against abuse and malpractice, but we should pass this legislation, with safeguards, to allow this research to take place here in Australia, using our medical facilities and our research expertise for the benefit of our nation. I support the bill.

Mr NAIRN (Eden-Monaro—Special Minister of State) (10.36 am)—Today I wish to speak to the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006. I think people should be focusing on the words of the bill. The title of the bill specifically describes what it is all about. In speaking to this bill could I, firstly, commend Senator Kay Patterson and Mal Washer, the member for Moore, on the work they have done to bring this bill to the House, and also the Prime Minister and other party leaders who have provided all members of parliament with a conscience vote on this particular issue.

This bill came about following the Lockhart review, which was required to take place after the Prohibition of Human Cloning Act
2002—which was passed by the parliament—called for a review after a period of time. The Lockhart review was chaired by Justice John Lockhart. I should also point out who else was on that review panel that looked at this matter in some detail and put forward fairly detailed recommendations. The other members of that review team—besides Justice Lockhart, who was a former justice of the Federal Court—were Associate Professor Ian Kerridge, a clinical ethicist; Professor Barry Marshall, a specialist gastroenterologist and community advocate; Associate Professor Pamela McCombe, a clinical neurologist; Professor Peter Schofield, a neuroscientist; and Professor Loane Skene, a lawyer and ethicist. So a very eminent panel—obviously people with very high qualifications: medical, professional, legal and ethical—made up that Lockhart review.

In speaking to this bill, I also acknowledge the correspondence that came to my office from constituents, by email, telephone and mail et cetera. These are people in the community who hold very strong and differing views on this matter. It is not surprising. I am sure other members of parliament have experienced exactly the same situation. When the parliament is going to legislate on many things, you have representations from the community and, ultimately, as a member of parliament, you decide on how you will vote on any piece of legislation. Particularly in these sorts of situations where members are being given a conscience vote, they do very much take into account all of the views of their constituents and ultimately have to make a decision.

In contacting me, many of the people who are opposed to this legislation have referred to human cloning. They have tended to say: ‘Please don’t pass this legislation, because we are opposed to human cloning.’ I agree with them; I am as well. This bill prohibits human cloning for reproduction, as did the bill in 2002. The bill is highly technical and it is difficult for people to understand what the bill is all about. So I will describe in laymen’s terms what aspects will be allowed if the bill is approved.

When the word ‘cloning’ is used, people tend to think it must relate to humans, but it does not. Therapeutic cloning involves extracting the nucleus from a somatic cell, for example, a mature cell such as a skin cell that is neither an egg nor sperm, and placing it in an unfertilised egg—and I emphasise ‘unfertilised’—that has had its own nucleus removed. The egg is stimulated to develop to the blastocyst embryonic stage of some 50 to 250 cells. Stem cells are then obtained from culturing cells from the inner mass of that blastocyst. These stem cells could then be used to repair or, perhaps in the future, create individual human organs. In making that somatic cell, you will not be allowed to develop it beyond 14 days.

I suppose this is the area where people have differing views. I do not see that as creating a human being to then destroy, as some people do. As I said, it is an unfertilised egg, as opposed to a human life, that is used and then stimulated by, say, somebody’s skin cell to form that human tissue. In that respect, I cannot accept the argument that you are creating a human life to destroy. You are creating human tissue but for good medical purposes and, hopefully, curing a number of diseases and other disabilities that currently there is no cure for.

Others argue that we do not need to do this because we already can do a lot of this work with adult stem cells. Adult stem cells, which are currently being taken from discarded embryos from the IVF program, certainly have their role. Some great research is being done in using adult stem cells and that research should continue. We are not talking about competing with that; we are talking,
from a research point of view, about adding to the opportunities, via this bill.

So you are taking an unfertilised egg and you are stimulating it with a skin cell to form that sort of blastocyst that is ultimately used to look at how you might repair particular organs that might be diseased in some way, or potentially grow them. The big advantage of being able to use embryonic stem cells is that you are ultimately working with the same DNA as that of the person you are trying to cure. Some of this work is being done with adult stem cells, but if it is developed to the point of repairing an organ of an individual then the DNA is going to be different because it has not come from that individual. Therefore you run the risk of rejection or of a person having to go through quite long periods of time on antirejection drugs, which adds complications. Whereas in this case, if you are taking a skin cell from an individual—when you are ultimately looking at repairing, say, one of their organs or adding cells to one of their organs to overcome a particular disease—then you are dealing with their DNA. So you are taking away that prospect of rejection. It is potentially a huge advantage for the scientists to be able to work in that way.

I have great confidence in our scientists and the ethics of our scientists. My training comes from a scientific background so I guess I have great confidence in science generally. I am not trained in the medical area, but my professional training is in science related areas. So I feel strongly that our scientists can be given these extra opportunities without their being abused and that the ethics of our scientists are such that we will not see certain activities. In fact the legislation is very specific about prohibiting certain activities, but I am confident that our scientists would not be heading down any of those tracks anyway. There are very strong safeguards within the legislation to prevent many of the things that some people are concerned will occur if this legislation is passed. As I think the member for Hotham before me said, the legislation is very strong—it is perhaps even stronger than the 2002 bill that was passed in this House—with respect to safeguards.

Finally, I think all of us at some time in our lives are touched by circumstances where loved ones are affected by particular diseases or disabilities and you would really love to find a way that you could help them. In some respects, when looking at legislation like this you should not allow specific personal experiences to totally override your views—you need to look at all sides of the argument; and I think I have done that in this respect. However, your personal experiences are something that you call upon to give you wisdom as well in making these sorts of decisions.

As members in this House well know, I lost my wife last year to cancer. Cancer is one of the areas that one would hope this legislation could have a substantial impact on. I very openly say up-front that I do not for a second believe necessarily that if some of this research had been happening a few years ago then it may have provided a cure for what my late wife went through and passed away from. However, living that experience certainly instilled in me a determination that, as legislators in this Australian parliament, we should do all that we can to give our eminent scientists the greatest opportunity to address some of these issues.

After Kerrie passed away, I went and sat down with her oncologist. I said to him, ‘I’m in the parliament, in the government. Is there something that you would like to tell me that perhaps we could do or we could do better so that hopefully others that might be faced with what Kerrie and I faced over that short five months could have a cure?’ He said a
number of things, as you expect from a doctor giving advice to a member of parliament—and I am sure that all members of parliament cop advice from doctors and researchers. One thing that he said to me that really stood out was: ‘I don’t think you should necessarily on putting resources into specific aspects of cancer research. Put the resources into general research that ultimately can apply to a whole series, in the case of cancer, of different cancers.’

There is funding that goes towards breast cancer research and all sorts of things like that. They are all good. But he was really saying to me: try and do something that can improve research right across the scope of this area, and if you can do that then you have done something incredibly positive because it is amazing how different things develop out of that general research into specific areas of cancer cures. I see this bill particularly as a response to that advice from the oncologist because this does cover not only cancer but also a whole series of diseases and disabilities. There are, potentially, opportunities that could go in a number of directions.

For people suffering from these conditions, hope is all they have to keep them going. There are many of those people in my electorate of Eden-Monaro. I was with young children with juvenile diabetes, as many other members of this House were only a couple of weeks ago, when we were raising awareness of the need for further research in that area. A number of young children from my electorate came along that day. Given that solutions to a range of diseases and disabilities could be boosted through this research, I cannot deny the chance of a cure for these people. I commend the bill to the House.

Mrs IRWIN (Fowler) (10.53 am)—In this debate on the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006, members have a conscience vote, as has been the case on a small number of issues that have come before the parliament in my time. Members have used the format of the debate to express their own, often personal, reasons for supporting or opposing the bill. I say from the outset that I have looked at the arguments put in the Lockhart review report and, on those grounds alone, I would be prepared to support the bill.

I have to say that the scientific case for the changes made in this bill is well made in the Lockhart review. Those opposing this bill have failed to show how the potential benefits flowing from these scientific advances could otherwise be obtained. They have failed to show that alternatives to this approach can provide treatments so desperately needed. They are effectively closing the door on potential treatments which may relieve much suffering and provide worthwhile advances in improving the lives of so many people.

I can appreciate that other members of this House have strong opposing views on the matter and, in the end, the vote of all members will reflect their personal views rather than by looking at the issue in the same way as the legislative review committee, led by the late Professor Lockhart, did. I should explain to the House what has influenced my own vote on this legislation. Like all members of the House, I have received letters and emails from a number of individuals and groups representing sufferers of diseases which it is hoped will be overcome by advances which could come from research which is presently banned in this country. I must admit that, like some other members of the House, our own personal experience has
led to our determination to follow potential treatments, whenever they can be reasonably obtained.

There would be few members who have not been through the experience of seeing a close relative or friend suffer as a result of a disease for which a treatment or cure might flow from the type of research which would be allowed under this bill. If I am right, the majority of those will support this bill, if only for the reason that it will bring some hope to the lives of those sufferers and those close to them, but it is not a faint hope. This research offers better scientific understanding and better treatment for disorders such as type 1 diabetes, motor neurone disease and Parkinson’s disease. While it will take time and many present sufferers will not be able to receive the treatment in their lifetime, one of their dearest wishes is for others to avoid the suffering that they have endured. Those who will not support this bill—and I definitively do respect their reasons—will always have the option of refusing treatments which may flow from this research. They can continue to exercise their conscience and refuse treatments, but they should definitely not deny others access to treatments.

This leaves open the unanswered question of what the approach of any future government should be if research which is banned in Australia but allowed in another country should lead to a breakthrough in treatment. As we know, research involving somatic cell transfer is permitted under regulation in the United Kingdom, Singapore, Canada, New Zealand, Sweden, Belgium, Spain, Finland, Israel and the United States of America. If there were a treatment devised in one or more of those countries, would that treatment be regarded as the fruit of the poison tree and face a ban in Australia? I think the politics of that situation would compel any future government to allow such treatments—either that or face the situation where those sufferers able to afford it would travel overseas for treatment. So that leaves us with the dilemma of deciding whether to allow scientists in Australia to be part of the research and to be among the pioneers in the treatment of these diseases. Or will we be left in the waiting room, wondering if we should have taken a different course?

As I said earlier, many of us have our own personal experiences which have influenced our views on this issue, and my own experience is recent and has influenced me greatly. In July this year my father, Alan, died after more than five years, following his diagnosis with the terrible Huntington’s disease. When he was first diagnosed with Huntington’s, he made the comment that he would rather have been diagnosed with cancer. When I heard that remark from my dad, my first thought was that he was so, so wrong, and I told him so. But, having seen my father deteriorate over those five years, I now wonder if he was right—and, Dad, I think you were right.

He was a man who served his country in the Air Force, a man who had a distinguished career at the University of Sydney, a man who served his community as a councillor on Parramatta City Council, a man whom you respected as a father and a man who was greatly loved. When you stand by and watch someone like that deteriorate day by day—from needing his food prepared and, later, when it became impossible for him to be cared for in the family home, being placed in nursing home care—and when you see the toll that Huntington’s takes on a person, you are definitely left asking if anything can be done to help those who suffer from this terrible disease.

Research that may be allowed under the proposals in this legislation may lead to some discovery which could give a ray of hope to those suffering from Huntington’s and other disorders. While that may not help
those currently suffering, it will give them the hope that, in future, others will not be forced to suffer as they have suffered, and this is especially true of Huntington’s. It is a genetic disorder which is passed on with a 50 per cent probability. If, like me, you have a parent who has Huntington’s, there is a fifty-fifty chance that you will have the disease, and that is the thought that I have lived with in recent years.

When my father was first diagnosed with Huntington’s, my sister took immediate steps to be tested at Westmead Hospital. It was found that she did not have the disease, and that came as a great relief to her. But in my case it was a difficult decision. I have two children, so if I had the disease there was a high probability that at least one of my children would have Huntington’s. So for four years I anguish over whether I should have the test. If I were to have the test and were found to have the disease, it would definitely alter my life and the lives of my children from that day on. If I were found not to have Huntington’s, it would be a great relief for me and for my children. It was a very difficult decision to make.

When I finally decided to have the test, it was one of the most traumatic times in my life. Having seen the terrible effects of the disease on my father, you can imagine how I felt at the prospect of being told that I had the disease and that I would need to tell my children that they may also have the disease. When I was given the results, to my great relief I found that I do not have Huntington’s; but the thought that the result could have been different is never far from my mind. What would I be like today if the result had been positive? What future would I have to live for if I were destined to suffer the ravages of Huntington’s disease? Would I feel guilt at the thought that my children and grandchild, Liam, may have inherited the disease from me?

In all of this there was only one glimmer of hope, and I can imagine that it is the same for the hundreds of Australians diagnosed with Huntington’s disease. That faint glimmer of hope is that scientific research may one day find a way of treating Huntington’s and even be able to prevent its transmission to future generations. So, Mr Deputy Speaker, you may be able to understand why I could not slam shut the door that may lead to treatments that prevent the ravages of diseases like Huntington’s.

There are many thousands of sufferers of diseases such as motor neurone disease, Parkinson’s disease, type 1 diabetes and many other disorders. Discovery may come too late to help those in the advanced stages of these diseases, but I am sure that I speak for those sufferers in asking that we keep the door open to research which may one day lead to a cure or treatment of their disorder. Their hope is not for themselves but, knowing the terrible effects of those disorders, their fond hope is that in a future world no-one need suffer as they have and that, even if it is only in a small way, through their suffering, future generations may be free of these diseases. So the legislation has my wholehearted support.

I can understand that some members and, indeed, many Australians have reservations; I can respect that. But having faced the prospect of having my own life and the lives of my children affected by Huntington’s disease, I cast my vote today for hope. I am definitely still left with my Christian belief that it is right for mankind to seek ways to cure the sick and heal the infirm: these are the noblest of human endeavours. This legislation, which allows research under strict controls, gives hope to thousands and thousands of Australian men, women and children. The door of hope should not be slammed shut by suspicion, fear and ignorance.
Mr IAN MACFARLANE (Groom—Minister for Industry, Tourism and Resources) (11.06 am)—In addressing the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 today, whilst I will speak of a personal decision and from a personal perspective, I will not be speaking on the basis that I expect to benefit personally from the passage of this legislation or the research that will come from it over the decades ahead. I do, though, speak on the basis that I sincerely hope that the lives of my children and their children, and of my children’s friends and loved ones and their fellow Australians, will benefit from this legislation gaining passage through this House and from the cures to diseases and disabilities that may come from it.

Australia is a diverse society with widely held views of an equally wide variety and within those varieties of views we also see a large variety of beliefs—a fact often acknowledged and rightly lauded for giving this country the cultural richness which we all enjoy. It is therefore no surprise in a moral debate as important as this that there are many and varied views and opinions on what the House should decide.

Some Australians believe that life begins with the creation of an embryo and have a moral objection to therapeutic cloning. Others believe that life does not begin with the creation of an embryo and they do not have an automatic moral objection to this proposed legislation. Yet another view is that an embryo not from an egg fertilised by a sperm is not a traditional embryo but a cellular extension of the donor’s DNA that was never destined to be implanted and become a human being.

Looking around the House here today and having talked to my friends, constituents and colleagues on the issue, I know that the views held are wide ranging and often differ greatly even between those of the same religion. One belief is not morally superior to another. They exist together, side-by-side, in Australian society. There will never be full agreement in our society on when life begins or, indeed, on how it begins. For this reason, I do not agree that a certain type of medical research should be described in black-and-white terms as immoral simply because it does not fit the moral beliefs of some Australians.

However, one moral value which I believe is universally held by all Australians is that we have a responsibility to care for the vulnerable, the sick, the disabled and the elderly in our society. These are fundamental Australian values—indeed, they are universal human values. So, where medical research has the potential to alleviate human suffering and save lives, I believe it is difficult to justify a ban simply because of the perceptions and views of some in our society. That is not to say I do not respect the moral views of those who have objections to this legislation on moral grounds; I do respect their views. But their views are just one part of the community attitudes on this matter.

I firmly believe that we cannot justify a continuing ban on research which has shown such promise in animal studies in treating diseases and physical incapacities such as diabetes, heart disease, Parkinson’s disease, retinal blindness and spinal cord injury. It is just potential, and it may be many years before we see treatments for humans, but it is potential that, to my mind, is becoming too great to ignore.

Rather than a ban, what is justified in the light of the moral objections of some Australians is to replace a ban with tight regulation. That, in essence, is what the Lockhart review committee recommended and it is what Senator Patterson has drafted in the bill be-
fore us. I believe it represents a conservative and appropriate response to a complex medical and ethical issue. As research scientist and writer Dr Elizabeth Finkel said recently:

The role of government then is not to take sides but to arbitrate. Instead of a sledgehammer ban, the law should be crafted into a fine regulatory tool. Where there was wide community consensus, as in the repugnance towards cloning for reproductive purposes, the report said the ban should remain. But where the community was divided, as it was over the potential medical benefits of therapeutic cloning, the brick wall should be replaced by a hurdle—
a significant hurdle.

Individual research projects should be evaluated on a case by case basis, by ethics committees and a government licensing committee. Some proposals would fall by the way-side, others might make it over the hurdle.

Some opponents of this bill have attempted to argue that we do not need to go down this path—that we can sidestep the difficult ethical issues surrounding the therapeutic cloning issue and just focus on finding cures from adult stem cell research. However, I do not believe that that is a realistic alternative. No politician or medical researcher could say with any certainty that any line of stem cell research—be it adult, embryonic or any other—will produce cures, because science in this area is in its infancy.

It was only in 1998 that medical researchers isolated human embryonic stem cells, which have the ability to turn into other cell types, otherwise known as ‘cell plasticity’. Given that, in medical research terms, eight years is a very short time period, it should come as no surprise to those who follow science that there are currently no approved medical treatments from this research—and the story is the same for research from adult stem cells. Contrary to the claims of some that adult stem cells have produced treatments for over 65 diseases, the Lockhart review found that there were no approved medical treatments based on cell plasticity either. And what leading medical researchers believe at this point is that adult stem cells do not have the same ability or potential as embryonic stem cells to make virtually any cell type in the body and to self-renew indefinitely.

Medical researchers are optimistic about the potential of therapeutic cloning because it could allow them to make cells from a patient with known diseases—for example, Parkinson’s disease or motor neurone disease—and create a stem cell line on which to study the disease and to test new or improved drugs. Researchers also believe that, in the longer term, it may be possible to use therapeutic cloning to make cells that are matched to individual patients, reducing problems of immune rejection with future stem cell and tissue therapies. It is just potential and, in many cases, will be decades away, but we should allow our medical researchers to explore this potential under an appropriate and strict regulatory framework.

At this stage, no-one knows whether it is adult or embryonic stem cell research, including therapeutic cloning, that will prove the most useful and effective in treating different diseases, but in keeping all research paths open we are more likely to identify the best mechanisms to reduce human suffering and to improve quality of life. It is my firm belief that we should never turn our backs on the potential to save a human life or to substantially improve the quality of life of someone with a serious illness or disability.

The defeat of this bill may not affect the lives of some Australians, but it will have a potentially devastating effect on other Australians and others worldwide. If the ban on therapeutic cloning is not overturned, though, the research will continue overseas—in the United States, the United Kin-
dom, Sweden, Singapore, Israel and China—
with varying degrees of regulation and ethi
cal standards. It will continue with the help
of Australia’s world-leading medical re
searchers, many of whom will no doubt
leave these shores in frustration at not being
able to compete and collaborate with their
colleagues overseas. It will simply remove
an opportunity for Australia to play a pre
eminent role in the regulation and conduct of
this type of research.

One day these Australian medical re
searchers working overseas may produce
cures for a range of life-threatening diseases,
based on drugs and therapies derived from
therapeutic cloning. What then will Australia
do? Will we legislate to block Australians
from accessing that treatment and cure de
rived from therapeutic cloning that may save
their lives or the lives of their children and
grandchildren? More unrealistic still, will we
legislate to prohibit Australians from travel
ling overseas to access these treatments? Or,
if we are to be morally consistent, under a
ban on therapeutic cloning would we legis
late to prevent all Australians from accessing
these treatments? The truth is that we would
never do that. No democratic parliament on
earth would ever consider such a thing.

In Australia, where we value the care of
the vulnerable, the elderly and the sick, we
would never deny such treatments to our
citizens. But, having blocked the research on
moral grounds, we would then be forced into
dealing with the approval and subsidisation
of treatments derived from therapeutic clon
ing and using those treatments in Australian
hospitals and clinics. We would then be
forced to accept the right decision in order to
save lives.

A bigger issue is the one raised by the
previous speaker—that wealthier Australians
will be able to travel overseas and receive
these treatments, while Australian doctors try
to catch up and gain the knowledge that they
need to treat Australians here. In fact, most
Australians—our constituents—will be faced
with the dilemma of waiting for Australian
medical research to catch up to the rest of the
world when these cures finally become
available. I think it was best summed up by
Barry Marshall, the winner of the 2005 No
bel Prize in Physiology or Medicine. At the
Press Club, he said:

It does not really affect my life if there is no stem
cell research in Australia. If our young scientists
all leave for Singapore, if Australians always
must wait a few extra years after everyone in the
United States and Britain already have a new
treatment for, let’s say, diabetes. I can always get
on a plane and pay thousands for some new
treatment or cure in California but most people
can’t afford that kind of expense in Australia.

To my mind, the risk we run if we vote down
this bill is that people will suffer and die
from diseases because they could not afford
the expense of travelling overseas for treat
ment.

It was also mentioned that whether or not
Australians choose this treatment is up to
them. They can choose not to, and I respect
that choice. The Jehovah’s Witnesses have
maintained their religious opposition to
many medical treatments and continue to do
so. We should, as we do, allow Australians to
opt out of treatment, but we should not allow
those same Australians to deny the rights of
others to opt in. Australia has shown over the
years that the best way to handle medical
advances is through regulation, not through
prohibition. We did it with genetic engineer
ing, organ transplants and IVF. The result is
that we have saved and created lives, and we
have offered people real opportunities for
better standards of living.

The Lockhart review recommendations,
embodied in Senator Patterson’s bill, repre
sent the latest example of how to deal with
medical advances. We owe the Lockhart re-
view committee our thanks for the intelligence and courage they showed in addressing such a difficult issue. I had the honour of meeting with the late Justice John Lockhart in September 2005 as part of his committee’s consultations. It was one of those days when the House was busy and there were other pressing issues, and I just wish I could have spent more time with him as he explained where the committee was garnering its information from on the many views. The thing that struck me the most was his intelligence and his integrity, and his respect for the variety of moral views on this issue within the Australian community. We all know he died a short time after that, unfortunately, and he will not see the fruits of his work dealt with by this parliament.

If we look at the Lockhart review and the guidance that it gives us, if we look at personal beliefs such as the Christian beliefs that many in this House hold and if we think about what would be best to do in the future, more so than now, for our fellow Australians, then we need to listen carefully to the many points of view that this debate has brought forward but focus on three areas: our responsibility to care for the vulnerable, the sick and the elderly; the loss of some of our world-leading medical researchers who may be lured overseas if they cannot conduct research here; and the consequential impact that will have both on the ability of Australians to access this sort of treatment and on the time it takes before that treatment is widely and freely available in Australia.

In short, what we are dealing with in this legislation is the opportunity for a better life for our fellow Australians, our children and our grandchildren. This is for all Australians both present and future. So, for the sake of all Australians who might one day benefit from this medical research, I urge members to support this bill.

Mr ANDREN (Calare) (11.23 am)—In my contribution to the debate on the Research Involving Embryos and Prohibition of Human Cloning Bill 2002, I stated:

I have come to the conclusion that research into adult stem cells is proving more productive than research involving embryos, and I have grave concerns about the destruction of human embryos whether excess IVF or not.

Nothing in the four years since August 2002, the Lockhart review included, has convinced me or, arguably, any other reasonable and objective observer that this situation has changed. I have closely monitored input from my constituents, and I totally respect the concerns expressed by both sides in this debate on the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006. I must say that the overwhelming number of submissions, emails and letters to me on this issue, in almost all cases individual and highly personal accounts, have firmed me in my opposition to this bill.

When you compare the title of the 2002 bill with that of this bill, you see that the not-so-subtle change in this bill to ‘prohibition of cloning for reproduction’ represents a major and disturbing moral shift. It is a shift in definition of when and how life begins and a redefinition, if this bill is passed by parliament, that suits some in the scientific community and no doubt the pharmaceutical community but that I believe fails the test of human dignity, morality and ethic. I say that in all-too-painful awareness of the tragedy of disease that has affected people close and dear to me, some of whom may hold out hope of cure from any research. I believe such hope of cure from embryonic stem cell research has been deliberately talked up while the most promising outcomes have come from adult stem cell research.

In August 2002, I also said that such research using excess IVF embryos:
... is at the edge of cloning. IVF embryos are used for research but not at this stage for human therapy.

We are now being asked to step across that line. I see absolutely no reason to resile from my comments four years ago when I observed:

Some scientists say that making a clone to extract stem cells ... is different and therefore more acceptable from making a clone to grow a baby.

But in the case of therapeutic cloning there is no denying, even to the degree allowed by this bill, that the embryo—a human—could and would be created for the specific purpose of pulling it apart. I cannot accept that, particularly when adult stem cell research is showing that non-rejectable stem cells from the patient’s own body are delivering promising research outcomes with none of the accompanying ethical and moral dangers.

Again I noted in 2002 that discussions with scientists such as Professor William Hurlbut of Stanford University, whose son has oxygen-denied brain damage, satisfied me that the destructive use of embryos is not necessary to search for cures. It is misrepresentation to suggest that in rejecting this legislation we are condemning people to a lack of hope and treatment and our scientific endeavour to the global backwaters. Parallels have been drawn in this debate between embryonic stem cell research and transplant surgery. The differences are stark and bear no consideration in this debate. This is about creating life in order to dismantle it. It is totally different from even the use of excess IVF embryos for stem cell research.

We have been told not to hold back through fear of the unknown. I am not about to cross that line. We have been told to place blind faith in scientists—for instance, to have no doubts about the safety of burying high-level nuclear waste—but the scientists and their research supporters are human like us, and that goes to their ethics as well. Let me quote from a letter that most parliamentarians would have received from a man who lives in Canberra. He is about to graduate with a PhD in medical sciences and is in partial remission from hairy cell leukaemia. He rejects the half promises and claims of those who would promote embryonic cell research as an answer to his or other people’s disabilities. He says:

... by allowing the manufacture of human embryos for the specific purpose of destroying them for research, we will have enshrined the ethical principle that is permissible to kill one human being in order to treat others.

The potential breakthroughs in stem cell research revolve around adult stem cells. We have seen recent advances involving adult stem cells: scientists are growing human heart valves using stem cells from the fluid that cushions babies in the womb; adult stem cells offering hope in the battle against type 2 diabetes were recently shown in a Louisiana experiment to increase insulin production in mice and to aid kidney repair; British scientists have developed a tiny liver from adult stem cells, as announced early this month; and breast tissue grown from adult stem cells has improved the process of breast reconstruction surgery.

On the contrary side, there is a distinct lack of scientific evidence and of clinical trial results showing any provable outcomes from embryonic stem cell research. In fact, there are continuing dangers from cancer formation, while Korean research that backs some recommendations of the Lockhart review was exposed as fraudulent. This legislation crosses the Rubicon by allowing the creation of cloned human life for the purposes of experimentation, and there is the distinct likelihood of women being exploited for the many thousands of human eggs required for this embryonic stem cell incubator.
By redefining just what is a human embryo this legislation places the first stage of human life, the zygote, outside our ethical and legal responsibility. The Catholic Archdiocese of Sydney, in its submission to the Senate inquiry on this bill, pointed out that in 2002 this parliament banned the creation of human embryos for the purpose of research or therapy—a decision made without a dissenting voice. We all should ask what has changed to make the Senate vote so narrowly now in support of such research. The submission hits the nail on the head: ‘Cloning is never genuinely therapeutic if it results in the destruction of a living human being so created.’ This is to be achieved by shifting the definition of a living human being, moving the goalposts, so to speak, to facilitate the research imperative—research for research’s sake—when the adult stem cell route is available, ethical and providing results.

Griffith University research in Queensland has shown that adult stem cells from human olfactory mucus are able to give rise to new nerve, liver, heart, kidney and muscle cells. The principal researcher, Professor Alan Mackay-Sim, says that the new research ‘turns on its head’ the argument that adult stem cells would not be as useful as embryonic stem cells for cell therapies. In an article for ONLINE opinion, prominent Toowoomba doctor and opponent of embryonic stem cell research David van Gend stated:

Cloning human embryos for research will perfect the technique needed for cloning babies and for growing cloned fetuses for their organs.

So by the time the next review of our cloning laws takes place, and scientists come asking for live-birth cloning and fetal farming, we may not care.

Let me finish by returning to my speech of 27 August 2002, when this parliament decided overwhelmingly not to go down the path this new legislation now takes us just four years on. I said:

I do not know when the soul, spirit or essential humanity enters the being, but if we need conception to begin the life path then, ipso facto, it is then that life begins. We have reached a point in our human development where science dictates—where the vast majority of we lay people are basically forced to trust the scientist because he or she knows best.

Mine is not a Christian position, but it is certainly a spiritual one. Scientists are divided on this issue. Whom do we trust? I trust my instinct, and I note the words of one scientist whom I might be prepared to trust: Dr Peter McCullagh, of Sydney University, who quoted the late Michael Polanyi, Professor of Chemistry at Manchester University, who said:

In the days when an idea could be silenced by showing that it was contrary to religion, theology was the greatest single source of fallacies. Today, when any human thought can be discredited as unscientific, the power exercised previously by theology has passed over to science; hence science has become the greatest single source of error. Those words also have a chilling relevance to the advocacy of nuclear technology when scientists have yet to find a way of managing the waste or other dangers of the monster their profession has unleashed. In rejecting this bill I urge us all to follow the only ethical path—that of continued adult stem cell research. As I said last time, why don’t we free up the many millions of dollars to be spent on this ethically indefensible research and redirect it to improve the living conditions of those hundreds of millions of people around the world who will never enjoy the benefits of Western medical research and who are battling diseases long controlled in the West, on top of poverty and the exploitation of their labour and resources? I strongly reject this legislation.
Mrs MARKUS (Greenway) (11.33 am)—Firstly, in speaking to the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 I would like to spell out that I am speaking as an individual today, that the position I take and the responses and the statements that I make have in no way been the result of pressure by any third-party individual or organisation, or, can I say, any local church. Bills such as this one before the House today are a matter of individual conscience. Each one of us has the responsibility and indeed carries the severe and heavy weight of these matters in order to take a stand one way or another to make a decision: yes or no.

Although I generally would approach such matters from a conservative point of view, having a strong view that life begins at conception, I have approached this matter from the outset with an open mind, attending many briefings by scientists and reading as much material as possible to inform my decision. In the Journal of Biomedicine and Biotechnology, in an article entitled ‘Human embryonic stem cell research: no way around a scientific bottleneck’, James L. Sherley, Associate Professor of Biological Engineering at Massachusetts Institute of Technology, wrote:

... reports on the controversy around hESC ... only listed nonscientists as critics.

... ... ...

The public needs to know that many expert stem cell biologists are also against research that results in human deaths.

He states:

... [such] research cannot be justified on scientific grounds. Effective, long-lasting cell therapy requires adult stem cells.

Further on in his article, he says:

In order for promised hESC-based therapies to be successful, first hESCs must be converted into adult stem cells.

... ... ...

Adult stem cells can be obtained from informed consenting adults, and they already have examples of successful cell therapies. Bone marrow transplantation is one example ...

These arguments are also backed by over 200 doctors. Doctors against Cloning state:

Scientifically, claims about potential benefits from therapeutic cloning have been misleading.

A distinctive lack of scientific evidence and the absence of clinical trials, which indicates that there may not be any benefits to human embryo stem cell research, is one reason I oppose the bill. I ask the question: will this send scientists down a track that will attract funds that will produce no results, when these funds could be focused on adult stem cell research which shows there is already evidence of real relief for disease? Professor Jack Martin, from the University of Melbourne, expressed openly on more than one occasion to the Senate committee that ‘there is no proof of principle regarding the benefits of embryonic stem cell research’. I would like to see further investment in research to find answers for people suffering from such debilitating diseases as Parkinson’s, MS, Alzheimer’s, diabetes and many more. I have friends and family who have suffered and continue to suffer from such diseases—an uncle with Parkinson’s, a dear friend with MS, two beloved friends who died from cancer only a few short months ago, a cousin with type 1 diabetes, and a grandmother who suffered from Alzheimer’s.

I personally do not want to see people suffering, and all of us would like to increase the time, money and resources directed towards medical research. Where we disagree is how to go about this research. Are people in this place prepared to put aside moral and ethical considerations and also shift focus
away from possible real answers—that is, discoveries from adult stem cell research? Associate Professor Sherley claims that there are vast gaps between promise from human embryo research and scientific reality. There are numerous clinical trials already taking place around the globe involving adult stem cells. Such trials indicate that there may be no need for therapeutic cloning. N Scolding, in ‘Stem-cell therapy: hope and hype’, in the Lancet, writes:

Techniques for culturing human embryonic cells have advanced ... but an increasing appreciation of the hazards of embryonic stem cells has rightly prevented the emergence or immediate prospect of any clinical therapies based on such cells. The natural propensity of embryonic stem cells to form teratomas—
tumours—
their exhibition of chromosomal abnormalities, and abnormalities in cloned mammals all present difficulties.

My second reason for opposing the bill has to do with the falsified information in the Lockhart review—its recommendation which is the foundation for this bill. The Lockhart review’s recommendation to pursue this was based on the work of Korean researchers, Professor Hwang being one of them, which was publicly retracted as fraudulent not long after the report was released. I find it personally very difficult to support the recommendation and the subsequent bill with a foundation or basis of or link to fraudulent, falsified and possibly deceptive claims.

My third point relates to licences. Why are there so few licences for research into disease since changes to legislation four years ago? The NHMRC confirms only one licence has been issued, to IVF Australia, which focuses on treating one single condition. Is this real hope for people with disabilities and diseases or false hope presented to extend possibilities and the use of artificial reproduction technology?

I have two main ethical concerns. The first relates to the creation of an embryo for experimentation and destruction, as noted in an article by Frank Brennan in the Age in October this year. As a professor of law at ACU, he said:

If we allow the creation of SCNT embryos for destruction and experimentation, why would we not also allow the creation of embryos formed by natural fertilisation.

Lockhart himself noted that logic does not define a moral difference between embryos formed from SCNT and those formed through natural fertilisation. Are they not both forms of human life? If planted into a womb, they have the potential to develop fully—fully human. What value are we going to place on human life? When ought someone to value human life—only sometimes, in 2002 but not in 2006? What is the line that we are considering crossing—the creation of human life only for experimentation and destruction? Do we want to go down that path? Is there another line to cross? If it is ethically acceptable to create SCNT embryos for experimentation, why is it not ethical to create naturally fertilised embryos for experimentation? I believe neither is ethically acceptable in a society where human life is valued.

When this bill was first discussed some months ago I was unsure what decision I would make. At first I thought if a sperm was not involved then it might not be a human life. I thought that it might be okay until, after careful study, it became clear to me that the embryo created through SCNT has the same future potential to develop into a full human, being a clone, as an embryo created by a human egg and sperm.

Another ethical challenge is with regard to the 14-day limit on embryos for experimentation. Professor Jack Martin, from the University of Melbourne, told the Senate com-
mittee that any research on embryos generated in this way for the study of disease would certainly require embryos to grow beyond 14 days. So will we be back again and possibly again to make more changes? Cloning depends on a continuous supply of fresh human eggs, and without eggs cloning is impossible.

Few in the debate over recent months have mentioned women and the possible risks to women. Egg extraction requires large doses of powerful hormones to hyperstimulate the ovaries. Professor Bob Williamson told us that egg extraction involved a small element of risk, but how much is small? The risk of ovarian hyperstimulation syndrome is experienced by 10 per cent of women, where 30 or more eggs start to develop simultaneously and fluid leaks out of the blood vessels and collects in the abdomen. The ovaries can swell to the size of a grapefruit. Imagine these consequences—stroke, organ failure, polyps, ovarian cysts, respiratory distress or death, long-term risks of infertility and reproductive cancers.

In all the briefings I have attended it was noted that therapeutic cloning is very inefficient, requiring hundreds, if not thousands, of eggs to produce a single clone. Where will the eggs come from? Will an incentive such as a financial payment be required to entice women to donate eggs, or will the importation of eggs from overseas be an additional step? Women may risk their lives for cures that may never be found through this type of research. Katrina George suggested that research ought to be about healing, not causing harm.

Harvesting ova from dead women and using leftover eggs from IVF have been suggestions. Research has indicated that this is not realistic. Another suggestion was for women on IVF to donate extra eggs. This was tried in the UK and women refused. Overseas experience shows that the only way is to pay women. In England, it has taken only a couple of years to head down the path of commercialisation. There is a risk that, just as those in the current debate have changed their minds since 2002, the current ban against growing cloned embryos beyond 14 days could be lifted in a few short years.

In 2002 the majority of all members in this House supported the use of excess IVF embryos for experimentation, but all who declared their position opposed the creation of human embryos only for destruction and experimentation. The Lockhart report favours the creation of an embryo to be used for experimentation and then destroyed, provided that the embryo is not implanted and provided that it not be permitted to thrive beyond 14 days. What bill will be put forward in another one, two, three or four years?

The bill lists practices that will be completely prohibited—that is, the bill is placing in law offences that never needed consideration in Australia. They include placing a human embryo clone in the human body or the body of an animal, importing or exporting human embryo clones, creating a human embryo for a purpose other than achieving pregnancy in women, creating or developing a human embryo by fertilisation which contains genetic material provided by more than two persons, developing a human embryo outside the body of a woman for more than 14 days, collecting a viable human embryo from the body of a woman, creating a hybrid embryo, and commercially trading in human eggs, human sperm or human embryos.

The prevailing legislative regime requires this research to conform to ethical codes and community expectations, including that proof of concept should be shown in animal models before research is carried out on humans. Longstanding ethical codes respect...
what constitutes ‘human dignity’ in research which by its nature is destructive of excess ART human embryos. Do we want to have these codes overturned? Personally, I think not.

If we look back at the list of offences, we see that the penalty for these offences is 15 years imprisonment. This brings me to my final reason for opposing this bill, and it is based on personal experience. I have visited prisons as a volunteer for 15 years, some of that time with Prison Fellowship, and have met hundreds of people who have bent, broken and ignored different types of written laws to commit offences. As a family counsellor, I have counselled many parents and young people who, when no-one else was watching them in their own home, have bent, broken and ignored written laws to commit offences. Many of these offences would make us feel sick if we described the details of them. Someone at some time will, when no-one is watching, bend, break and ignore these boundaries and commit one or more offences. I am not confident that the legislative framework will protect or prevent the offences listed from being undertaken, and that is of great concern to me. I therefore oppose this bill.

Mr BOWEN (Prospect) (11.47 am)—It is appropriate that this important legislation, the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006, is to be decided by a conscience vote in this House. It was always inappropriate that this matter be decided by the cabinet and it was arrogant of the cabinet to attempt to impose its will. This is a matter where it is appropriate for the parliament to assert its authority over the executive, and I congratulate those involved in bringing it to the parliament, in particular the honourable member for Moore.

Having a matter such as this come under the consideration of a conscience vote behoves all members to take the vote seriously, as I know all have. For my part—and I thank those who have made themselves available to assist honourable members and senators to come to a conclusion—I have read the Lockhart report in its entirety and I have read most of the submissions to it. I took the opportunity to meet with Professor Skene, the acting chair of the Lockhart committee, and I thank her for her time in answering my questions and dealing with my concerns.

I attended most of the lectures by various experts organised in recent weeks in Parliament House, and I thank those speakers for their time. I have listened to most of the contributions made in this House and in the other place, and it is certainly fair to say that there are good people with good intentions on both sides of this argument. I thank those from my electorate who either support or oppose the bill and who have contacted me and spent time with me talking through the issues. I know that other honourable members have also been grappling with this issue, and I thank those who have taken the opportunity to talk through the issues involved. In some cases we have come to different conclusions, but it has been good to have somebody else who has also had to come to a conclusion on this issue to talk it through with.

It is unsurprising that people have come to differing views on this issue, because there are compelling and emotional arguments to be put on both sides of this debate. On the one hand are cures to debilitating illnesses which cause great human suffering, which are responsible for deaths and which are held out as being possibly curable as a result of this research. On the other hand we are reminded that any changes to the ways in which we deal with human life or what has
the potential to become human life should not be taken lightly. They are a huge step.

After reviewing all the evidence, and considering this matter closely, I have decided to oppose this bill. In 2002 this parliament considered the matter. I was not a member at that time, but I have gone back and looked at the debates and I have come to the conclusion that I would have supported research on surplus IVF embryos but would not have supported cloning, as every other member did not support cloning at that time. I have come to the conclusion that there has not been enough evidence over the last four years to lead me to change my view. I regard myself to be a supporter of stem cell research. The potential benefits are undoubted. They are not immediate—even proponents say they are many years away—but they are undoubted. I remain, however, unconvinced that the potential benefits of embryonic stem cells are sufficiently greater than those of adult or umbilical cord stem cells to justify a step as significant as cloning.

It is appropriate for scientists to push the envelope. It is appropriate for scientists to come to us and say, ‘These are the potential benefits and outcomes if you allow us to go down this road,’ and I congratulate them for doing so. However, we as members of parliament have a different obligation. We are charged with determining the limits. We are charged with determining what is appropriate and what boundaries we as a society are prepared to place on research. We are charged with balancing the differing arguments between the potential benefits of and the protection of what is or has the potential to be human life.

Much has been made of the influence of religion in this debate, and there is no doubt that some honourable members and senators have been influenced by their religion when coming to a decision on this matter. As I have said, in similar debates before in the House there of course has been a separation between church and state. There can be no separation between religion and conscience. But it is not only a matter of religion. You do not need to be an adherent to any particular religion or any particular faith or church to believe that cloning human life is a huge step—a step not to be taken lightly and a step not to be taken without undoubted justification. As I have said, in everything I have read and in every debate I have listened to I have found insufficient evidence of the benefits of embryonic stem cell research—over and above those of adult or cord stem cell research—to justify this very significant step.

The Lockhart committee argued that society would not accept embryos created simply for research purposes with no prospect of survival. I find this a false distinction. If it is unacceptable to do that to an embryo created through the normal mechanism, I find it equally troubling to treat an embryo created in a scientific manner in the same way.

I want to spend a short time talking about the recommendations of the Lockhart review in relation to IVF—a completely separate matter, in my view. People who choose IVF are choosing to create a life. Not all the embryos created will be used but there is potential for each and every embryo to be implanted and to become a full person. The wonderful IVF doctors and practitioners are giving people around the world the opportunity to enjoy the benefits of parenthood, which tragically is denied to some people but can in many cases be fixed through IVF. As a parliament and as a nation we should do everything we can to support those endeavours. I note that the Lockhart report made certain recommendations to assist IVF doctors and practitioners. I found myself conflicted, wanting to support those recommendations but not feeling comfortable enough to sup-
port the other recommendations in relation to cloning.

I wholeheartedly support the Lockhart committee’s recommendations only in relation to IVF. Should this bill be defeated, which I do not expect to be the case, I flag that I would be looking at options to see those aspects of the Lockhart report coming into law in relation to IVF. I note that some of the recommendations in relation to IVF have not required legislation but are simply recommendations to various government bodies, which I hope have been implemented by those government bodies, particularly in relation to lifting the burden on prospective IVF parents in their continual need to sign clearances and to be reminded of their choices for their surplus embryos. I think they are very sensible recommendations.

I do not intend to speak for long. I know that many members wish to make a contribution. I simply wanted to indicate to the House the reasons for coming to my conclusion. I again commend all honourable members for the quality of the debate. I recognise that they are people of good intention who have come to different conclusions. I am sure as a House and as a society we will reach a median which society is happy with even though I may personally be opposed to it.

Mrs DE-ANNE KELLY (Dawson—Parliamentary Secretary to the Minister for Transport and Regional Services) (11.55 am)—We all seek cures to the terrible diseases and injuries that afflict modern man—cancer, Alzheimer’s, Parkinson’s, spinal cord injury, to name but a few. Researchers are now pressing the Australian parliament to allow therapeutic cloning of human embryos, called somatic cell nuclear transfer, as a potential cure for many of these diseases. The Australian parliament banned this in 2002 but, as we are aware, it is again under review following the Lockhart report, which recommended human embryo cloning and human-animal ‘hybrid’ embryos. Thankfully, the Senate has disallowed human-animal hybrid embryos.

What are the facts about stem cells? Stem cells can form any cell in the body and therefore are able to become liver, bone or nerve cells and so on. There are two sources of stem cells: adult stem cells and embryonic stem cells, known as human embryonic stem cells. The former are harvested painlessly from many parts of the adult human body while the latter are made from four- to seven-day-old embryos which have the nucleus removed and the nucleus of another cell, such as a skin cell, inserted so that they can form stem cells. Dolly the cloned sheep, which we are all familiar with, was formed from the embryo of a sheep using a similar technique.

I think all Australians would ask: what, to date, are the results of research work on these two types of stem cells? Embryonic stem cells have not produced any cures and, in fact, in animal experiments have formed tumours. Professor Alan Mackay-Sim of Griffith University has said:

The serious problem of tumour formation from embryonic stem cells of any source remains a major obstacle.

By contrast, however, adult stem cells are credited with some 65 therapies. The most common we would all be familiar with is bone marrow transplant to treat leukaemia. Griffith University has also grown adult stem cells into new brain, liver, heart, kidney and muscle cells and has been conducting clinical trials at Princess Alexandra Hospital in Brisbane to regenerate spinal cells to help paralysed individuals walk again. Those clinical trials are ongoing.

At this juncture, I would like to talk about an expert in adult stem cell research. People ask why some stem cells produce therapies...
and others do not. We were very fortunate to have had many experts generously give their time to assist members in this House and in the Senate. One of them is Professor James Sherley, professor of biological engineering at the Massachusetts Institute of Technology. He is a scientist at the forefront of adult stem cell research. From my perspective, he provided the best explanation for laypeople of the way in which stem cells differentiate. The bodies we have now are not the bodies we had two years ago. Our cells constantly regenerate—and it is adult stem cells that regenerate. Some parts of our body change their cells far more rapidly than others. Adult stem cells have the ability to divide asymmetrically—in other words, whilst they divide into new adult stem cells, they divide into the cells of the tissues that they repair or replicate. Adult stem cells have the ability to hold the memory of the cells around them—in other words, when they asymmetrically divide, if they are liver cells they will divide into one adult stem cell and a new liver cell. Embryonic stem cells, however, cannot repair tissue—which is, of course, the prime task of an adult stem cell—because they do not divide asymmetrically.

One of the reasons that embryonic stem cells form tumours at such a high rate is, as we would know, that they are there to create a whole new human being. The argument is that the tendency of embryonic stem cells to form tumours rather than divide asymmetrically and form new tissue can be overcome by research. According to Professor Sherley, that is very unlikely to be the case. What has happened is that the proponents have now changed tack; they are now looking to study disease processes rather than find cures. In fact, Harvard University has now asked that the embryos they are studying be allowed to grow beyond 14 days, which is of great concern to those of us who in 2002 said it would be a slippery slope if this were allowed.

I would like to go to some other points that Professor Sherley made. With cloned embryos, there are inevitably defects in genetic make-up. It is very difficult for a cloned animal to be grown without defects. As we know, Dolly the sheep had significant defects. The genes are altered. The stem cells that would be derived from human embryonic stem cells will, likewise, have significant defects.

I would like to move to the question of whether we support with additional funding the call for more work to be done on human embryonic stem cells when many experts doubt that there can be any effective therapies derived. I would prefer to see funding being put into adult stem cells, for which there are already some therapies derived and for which clinical trials are going on with human beings—whereas human embryonic stem cells are still at the animal trial stage, without any successes.

Having talked about the lack of scientific progress with human embryonic stem cells, I would like to turn to the core question, which is that human embryonic stem cells are not pieces of tissue, as some have asserted. There are questions about whether embryos are human beings and when human life begins. Professor Sherley says:

Both scientists and physicians know very well that human embryos are alive and human. A human life begins when a diploid complement of human DNA is initiated to begin human development. Therefore, a life can be initiated by the fusion of sperm and air or by the introduction of a diploid nucleus into an enucleated egg (i.e., "cloning"). Given that embryos are human beings, they have a right to self and a right to life.

I would like to explore this a little further. We were all, at one stage, as small as embryos. Embryos are tiny collections of cells which are very small, but, if allowed to grow, they will form a whole new human being. I am very concerned that this legislation, if
passed, will allow the creation of human embryos—some to live and some to die. I believe it is morally wrong to take the youngest of humans—with their souls—and sacrifice them when they have no voice to speak in their defence. I believe God gives each of us an immortal soul and that, if we have that soul at birth, we probably have it three months before birth, six months before birth and perhaps 8½ months before birth. We are making a decision to sacrifice other human beings who have no voice to speak for themselves.

If that sacrifice were to be for cures for many of mankind’s illnesses and ailments, I think it would be a difficult argument. But, demonstrably, at this point in time, not only are there no therapies from human embryonic stem cells; there are no successful trials with animals. Also, according to experts in stem cell research, there are inherent difficulties in the make-up of embryonic stem cells that do not lead them to a form of differentiation that can lead to cures. From a scientific point of view, I think those are very serious arguments against proceeding down this path.

It is my intention to vote against this legislation. I have another concern: the ability to access ova will plainly be difficult. The Senate has rejected one of the proposals of the Lockhart review, which was human-animal hybrids created from animal eggs and human sperm. As I said, I am pleased that the Senate has rejected that. Recently, researchers in the United Kingdom created a half cow-half human organism. It was later destroyed. I think most of us in this parliament would be horrified at such a prospect.

The Lockhart review and this bill, the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006, propose that, potentially, eggs from aborted female foetuses could be harvested to make up for the obvious difficulty of sourcing sufficient ova. It raises the question that aborted female foetuses could become mothers without ever having lived themselves.

In making a plea to the parliament, I do ask members to support the government in putting more funding towards adult stem cell research, which I believe has shown very encouraging results over a long period. I note the argument that others have used—that is, Australians might be denied the benefits of research, if it is successful, on embryonic stem cells. Can I say that no Australian is denied the benefits of research undertaken overseas at present on a range of other therapies. The argument to support this legislation, although there are as yet no successful outcomes, I think is a spurious argument.

Others have spoken of the heartache and distress of relatives and friends stricken with terrible illnesses. I have also supported a family member with a long and lingering illness and a painful death, although I do not now intend to elaborate on that. I respect the concern that other members of the House have to find any cure, but I do believe that it is also wrong and disrespectful to those who are suffering to divert funds from research that is demonstrably having results, such as adult stem cell research. I think the best thing that the parliament could do would be to support research which is showing results, such as adult stem cell research, and reject a path that the parliament rightly rejected in 2002. As I said, I will be voting against this bill, and I strongly support more funding for research on adult stem cell research.

Mr HAYES (Werriwa) (12.11 pm)—This is not a religious debate and it is certainly not, as some would have it, an argument between science and superstition. The debate on the Prohibition of Human Cloning for Reproduction and the Regulation of Human...
Embryo Research Amendment Bill 2006 is based solely on ethics and the recognition of basic human values. From the outset can I say that I firmly believe we cannot seek to alleviate the suffering of some by creating and then destroying another human life. This is not a concept foreign to many members of this place, as it was central to the debate concerning two bills before this parliament in 2002, namely the Prohibition of Human Cloning Bill 2002 and the Research Involving Human Embryos Bill 2002.

As the matter of cloning of human embryos was comprehensively dealt with by this parliament at that stage, which resulted in a unanimous position of banning human cloning, I would assert that it now falls to the proponents of this bill to demonstrate what has changed since the last time this matter was considered by the parliament. In 2002 Senator Patterson, in summing up her position, said:

I believe strongly that it is wrong to create human embryos solely for research. It is not morally permissible to develop an embryo with the intent of truncating it at an early stage for the benefit of another human being

I could not agree more. I think the then minister’s strong statement clearly sets out the ethical position held by this parliament four years ago. The Australian parliament rejected human cloning. In doing so, Australia effectively joined with 30 other nations in banning human cloning on ethical grounds. As this was the position only four years ago, I think we are entitled to ask: what has changed to cause us to reconsider that decision? It seems to me that the only thing that has changed since 2002 is the review that was provided for in this legislation, namely, the Lockhart review. I am sure that, in establishing that review, it was not the intention of the parliament to create an escape mechanism by which it could abrogate its responsibilities for ethics to a committee. The issues paper, circulated by the Lockhart committee in August 2005, stated:

It is not the purpose of the reviews to revisit underpinning community debate and rationale for two Acts. Rather, the purpose is to review the Acts in the light of any changes in scientific or community understanding or standards since 2002, and any indications that the provisions are no longer appropriate and/or practical in their application.

Notwithstanding that the Prohibition of Human Cloning Bill and the Research Involving Human Embryos Bill were supported and unanimously passed by this parliament, we now have a bill before us which seeks to reverse that decision.

In passing the legislation, the parliament clearly and decisively set a course of banning the creation of human embryos for the purpose of experimentation other than in relation to surplus eggs in the IVF program destined for destruction. It was within this strict regulatory regime that limited permission was granted for research on eggs provided by women in the IVF program which were no longer required and were destined for destruction. It now seems that some would like to rely on this proposition: if research on surplus IVF eggs is permissible, then why not do research on any embryo provided that it is for the purpose of bona fide scientific research and not implantation?

It would appear that the Lockhart committee has relied on this qualified exemption in respect of surplus IVF eggs to unravel the underpinning proposition of the 2002 legislation. The committee attempts to draw a distinction between the moral status of human embryos based on how and why the embryo was created. According to the committee, an embryo created for the intention of reproduction is seen differently to one created for experimentation and destruction during scientific research. In fact the committee said:
... while it was difficult to logically define a moral difference between embryos formed by fertilisation and those formed by nuclear transfer or related methods, it appeared that embryos formed by fertilisation of eggs by sperm may have a different social or relational significance from embryos formed by nuclear transfer.

It is this distinction that forms the basis of the committee’s recommendation to permit experimentation on any embryo provided that it does not have a social or relationship significance. What I struggle with is that in four years we have come from a position of banning human embryo cloning to now considering whether to permit scientific research and experimentation which as a consequence permits the creation of human embryos.

The 45 recommendations made by the Lockhart committee included allowing the creation of embryos by SCNT, utilising female eggs and/or, in the case of hybrids, an animal egg provided that it is not be implanted in a woman or allowed to develop beyond 14 days. While the creation of hybrid embryos has been removed from this bill, this has not removed the problem of having a limited supply of embryos. That was the stated vision for the inclusion of hybrids in the first place. I am concerned that the limited supply of eggs may be overcome through the creation of markets aimed at increasing the supply and consequently creating unwanted or unintended social consequences. The inquiry heard from Katrina George, director of the Womens Forum, of the difficulties faced in other countries in securing the necessary supply of human eggs without providing women with commercial incentives. As I understand it, some women in the UK are being offered discounts on the IVF program should they decide to donate eggs for research. The argument of the Womens Forum is that if egg donation is open to commercial incentives women, and presumably women from lower socioeconomic backgrounds, may be more likely to be exposed to coercive practices or, at worst, exploitation.

I know that such outcomes are not intended by those supporting the expansion of the use of cloning for medical research, but they are something that I am certainly cognisant of. In any event, the question remains: what has changed in four years to warrant a reversal of the parliament’s decision to ban the cloning of human embryos? That is exactly what an independent scientific consulting group was engaged to assess and advise the cabinet on. After reviewing the Lockhart report, Matthews Pegg concluded that little if anything had changed that would warrant a change in the existing legislation. They were not alone in that view of questioning the benefits of embryonic stem cell research. Dr Nicholas Tonti-Filippini is quoted in the parliamentary committee report as saying:

Nothing has changed scientifically to support some kind of new argument of necessity to use SCNT embryonic stem cells. If anything, the possibility of developing therapies involving cultured embryonic stem cell transplant has become more remote as more has become known about the difficulties.

Like many members in this place, I took the opportunity to meet James Sherley, Associate Professor of Biological Engineering at the Massachusetts Institute of Technology, when he recently visited Canberra. If anything, this man was accusing many in the debate, including me, of letting the scientific proponents of embryonic stem cell research get away with not having to justify their optimism about the likely therapeutic outcomes from this research. In an article published in the Journal of Biomedicine and Biotechnology, Sherley argues:

In order for promised hESC-based therapies to be successful, first hESCs must be converted into adult stem cells.

He goes on to conclude:
So, why destroy human life ... when the essential barrier to effective cell therapies is the need for more research to understand adult stem cells? Adult stem cells can be obtained from informed consenting adults, and they already have examples of successful cell therapies.

Unfortunately, as we approach this debate, very few people seem to distinguish or, in many cases, understand the essential differences in the various disciplines associated with stem cell research. Many mistakenly attribute the advances in stem cell research to embryonic stem cell development when in fact, to date, the most significant developments have occurred through adult stem cell research. Adult stem cell research has shown promise in treating a range of conditions including Parkinson’s disease, spinal cord injury, blood diseases and heart damage. Indeed, improvements in bone marrow transplantation are a very real example of what is currently available and developed through adult stem cell therapy.

Professor Alan Mackay-Sim, director of the Eskitis Institute of Cell and Molecular Therapies at Griffith University, has strongly advocated that adult stem cell research is an ethical alternative to human embryo cloning. He says it is probable that such adult stem cell lines will render therapeutic cloning irrelevant and impractical. Similarly, considerable advances have been made in therapies involving neonatal or umbilical cord blood stem cells, as I understand it. To date, patients suffering with various diseases are being treated with stem cell based therapies from cord blood. Stem cells from cord blood are laying a very strong foundation in terms of rejuvenative medicine. Only last week it was reported in the UK that researchers at the University of Newcastle had successfully grown mini livers capable of being used to test new drugs and, in the future, providing life-saving treatments to patients in need of liver transplants. Again, while an important field of stem cell research, this does not cross the ethical divide.

I appreciate the reality that there are strong competing views between various scientific disciplines. I also appreciate the commercial reality of attracting and retaining funds within the respective research institutions of this nation. To some extent, one of the grounds being relied upon to support embryonic stem cell research is to allow Australia to stay in a competitive position with international research. It is argued that not to allow cloning would place this country at a competitive disadvantage to other world players in the quest to develop therapies for various diseases. If this is the intention behind the bill, I wonder whether this is the ethical thin edge of the wedge when it comes to the cloning debate.

While the position of the bill is clear, in that human cloned cells cannot be allowed to develop beyond 14 days, I wonder what our position would be if scientists in other parts of the world were to report greater benefits from having an embryo reach 28 days. Our scientists may again feel that they are being left behind in research or are at a competitive disadvantage if they do not follow. If we were to allow that, why would we not consider the scientific advantage of allowing research up to the early stage of foetal development? After all, some have already speculated about the prospects of this development in organ replacement therapies. Will we maintain the position that anything beyond 14 days is unethical and therefore unacceptable, regardless of reason? If we take this step, can we really say, ‘This far and no further,’ or have we already crossed the ethical divide?

In passing this bill, I believe that we will have already crossed the ethical threshold. Only four years ago this parliament took a position based on ethical considerations to
ban human cloning of embryos, and today we are debating whether to allow cloning, provided the embryo is destroyed within 14 days. I strongly assert that passing this bill will compromise our position on ethically based research.

With such a fundamental change in the 2002 position, you might expect to see some clear evidence that, without this change, it will be to the overall disadvantage of humanity. At least you would expect to see some evidence of significant developments in scientific research to justify more permissive legislation, particularly when such serious ethical issues are at stake. But no: we are being asked to pass this bill without the slightest indication that there is any real prospect of successful therapies emerging. In fact, we are yet to see any reason for optimism based on the clinical work performed on animals. Despite this, we have people speculating on a range of therapies likely to result from embryonic stem cell research. I agree with Professor Sherley’s caution in this regard. As he says, researchers:

… must take care that they do not take advantage of the hopes and fears of people who yearn so desperately for cures that they will regretfully overlook their own moral objections.

Professor Jack Martin, in his submission to the Lockhart review, said:

The potential benefits of treatment of diseases with human ES cells have been greatly exaggerated, with many of the suggested cures only long term possibilities and some not even remotely possible.

No member in this debate is against scientific research being undertaken for the betterment of humanity. However, it should not be based on some lofty aims or some speculative hope but on a very clear indication of the consequences of the research if it is to lay any challenge to our notion of ethical standards, which was so aptly summarised for this parliament in 2002 by Senator Patterson.

In delivering the 2006 Thomas Moore lecture, the noted ethicist and human rights lawyer Father Frank Brennan said on the status of human embryos:

Some, including many scientists, think that an embryo should be accorded some special ‘human’ status only if it be created by the union of an egg and sperm, be more than 14 days old, and be intended by its ‘creators’ for implantation in a womb. Others think that an embryo should be accorded special respect from the moment of creation regardless of means, intention or age.

I fall into the latter category, and I oppose this bill.

Mr CAMERON THOMPSON (Blair) (12.29 pm)—I have a range of remarks that I want to make about the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006. I want to begin by stating that my position on the bill is well known: I have not hidden my strong support for it, just as I did not hide my support for its predecessor, the Research Involving Embryos and Prohibition of Human Cloning Bill 2002. I congratulate Senator Kay Patterson for preparing this bill and for having it pass the Senate. Without prejudging the vote in this House, I personally hope for and strongly anticipate its passage through this chamber and subsequently into law.

I was going to begin with something of a critique of the opportunities and health advantages that are sought to be engaged through the processes that this bill would seek to regulate, but I think I will leave that aside for the time being and come to something that I think is also quite significant. I want to begin by discussing the very process of somatic cell nuclear transfer that has been picked over and discussed by members and in the general community at quite some length since this bill was first countenanced.

I say quite clearly that there is a big difference between an embryo formed by the
joining of a human egg and a human sperm and an empty human egg such as those to be used in the SCNT research process. Empty eggs such as these are ejected from the bodies of women every month and these ejected eggs are in no way part of the human life cycle. SCNT involves the removal of the nucleus of an empty egg and its replacement with human DNA from another source. The egg is denucleated and material added to spark the creation of stem cells that bear the imprint of the added material. This empty egg is not an embryo in the sense that ideologues and some of those with an axe to grind in this debate would have you think. It is not implanted in a human uterus and at no time is it part of the human life cycle.

Over the years there have been various pieces of legislation in parliaments, federal and state, governing practices that do impact on human embryos, even on foetuses and on babies. Of course, the health impacts and the types of legislation that I discuss do have wide ramifications and are widely discussed and will remain a sore point for people with a particular view in our community. These laws attract controversy, and not without good reason. However, this bill and the therapies and research it controls do not enliven the same degree of intervention and should not enliven the same degree of reactive controversy.

I am a strong advocate of this bill because I recognise, and from time to time I have reason to mix with, people who are fighting so strongly for a cure to serious debilitating illnesses. When they say to me and to my colleagues, ‘We want you to work to help us find a cure,’ they do not say that just as a debating point; they say it, as you know, Mr Deputy Speaker, with a tear in their eye. They say it because they are committed to relieving sickness and illness in our community. I want to always have it said about me that I had that attitude as well.

I do not accept that it is reasonable that I should appeal to part of a constituency to be popular or for some other particular reason by taking a certain ideological viewpoint and that I should set that pursuit aside and not be genuine in my efforts to find the funding, to give the support, to make it happen for those people who are suffering things like MS or motor neurone disease or diabetes. I suppose it comes from the fact that I am myself a sufferer of diabetes type 1, and this has often been discussed by me and by others about me.

In the lead-up to this bill coming before the House, I have spoken publicly on this topic. Recently the Juvenile Diabetes Research Foundation staged in the parliament the very successful Kids in the House event, where young sufferers of type 1 diabetes, including Phoenix Weaver and Sean Binns from the electorate of Blair, came all the way to Canberra with their parents and carers to remind us of their suffering and ask that we rededicate ourselves to the search for a cure. As part of the Kids in the House activities, the JDRF hosted a dinner in the Mural Hall, where I heard leading researchers from all over the world saying how close we are to finding that elusive cure to diabetes type 1. At present the possibility of a cure seems so close you can almost taste it. In fact, there are several avenues of inquiry all holding out real prospects that the serious consequences of diabetes, such as those I have described in my speech on the 2002 bill, will soon become a thing of the past—although how soon is the big question.

Among those options for research, the most prospective and most realistic opportunities for an effective and lasting cure are those that involve the processes we are discussing here today—embryonic stem cell therapy and somatic cell nuclear transfer. The same researchers that have enlivened such hope in the large community of 140,000
type 1 diabetics in Australia as well as in their parents and loved ones are telling us that our support for this bill will aid the process. They are saying it very clearly. The cure for diabetes may come through these techniques and therapies or it may come from another source. But we do not have the luxury of divine sight to know in advance that we can afford to blithely rule out these practices.

I have heard the words of fellow members that claim that stem cells from adult sources or from umbilical cords or placentas are all we need to pursue cures such as the one we are so desperately in need of in the case of diabetes type 1. But these are my colleagues, not scientists. Sometimes they quote a scientist in their cause, but in every case there comes that age-old whiff of ideology or self-interest that rings so familiar from the 2002 debate.

The scientists I heard addressing the JDRF dinner were those leading the campaign that funds research of all types. They support research into the development of insulin pumps—not like the one I wear today, but pumps that would recreate artificially the entire process that controls the release of insulin into the body automatically. That would be a huge step forward, and these are options being supported strongly by the JDRF. But that does not stop JDRF scientists supporting the research options that are presented as a result of embryonic stem cell therapy and SCNT.

So I hear what they say. Their advice is good and unequivocal. It comes from a source that is authoritative and untainted by dogmatic ideology. There is no conflict of interest—which is the fundamental problem: the credibility gap faced by scientists who are themselves engaged in alternative research.

These are the scientists, the ones engaged in alternative research, who hear the words of the opponents of this bill and know that its defeat would force their research competitors to leave the country. The rigorous competitive challenge among Australian researchers for funding to pursue cures to major illnesses like diabetes, MS or MND would be cut in half. It would be slanted and stunted as a result.

Scientists who genuinely believe that SCNT and embryonic stem cell therapies offer the key to these vital cures will just have to relocate their research elsewhere. Opponents of this bill have to face up to the fact that, through their actions, they may well delay these cures. They have to face up to the fact that if they succeed in bringing this part of our research to a halt they may derail the entire Australian effort in the very research which may one day provide the cure or cures and many other things.

I speak about cures and about diseases, but these therapies offer the potential for other therapeutic benefits that are not so readily discussed and, in some cases, understood. Members would be familiar with the Australian Red Cross Blood Service, which collects blood for transfusions across Australia. To this end, more than 1.1 million donations of blood are collected from Australians every year. This is a wonderful service which creates life-giving opportunities for Australians who have been in car accidents and who are undergoing operations and other medical procedures every day of the week. But we know that that service is not infallible. Sadly, many Australians with diseases such as HIV-AIDS contracted through tainted blood are testament to this fact. Sadly, also, today the donation system groans under the weight of demands on its services and the restrictions that reduce the number of available donors to protect the health of the recipients of that blood. Once
again, there is the prospect of hope that, through embryonic stem cell research and SCNT, we can develop a productive source of blood to meet this growing need into the future without the kinds of logistical and health-endangering problems that come through the current practice of sourcing blood through donations exclusively.

Blood donated through the existing system is used as follows: 30 per cent to cancer patients, 15 per cent to heart disease patients, 15 per cent to stomach and bowel disease patients, 12 per cent to burns victims, 12 per cent to accident victims, six per cent to liver and kidney disease patients, five per cent to haemophiliacs and five per cent to babies and pregnant women. This is a core part of our health system that could be directly affected by this kind of material, and you do not have to be particularly engaged in the scientific process to see the magnificent opportunities that that raises.

Without going any further, I strongly endorse the bill and encourage all my colleagues to do likewise.

Dr Emerson (Rankin) (12.41 pm)—What has changed since 2002? The then health minister, in summing up her position on cloning, said:

I believe strongly that it is wrong to create human embryos solely for research. It is not morally permissible to develop an embryo with the intent of truncating it at an early stage for the benefit of another human being.

Well, what has changed? We are now being asked, in considering the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006, to examine and then approve the creation of a human embryo for the very purposes which Senator Patterson argued so persuasively in 2002 should not be allowed. So there must be some scientific breakthrough or some new moral perspective to warrant not only the consideration of this legislation but also a vote in favour of it. And that is what we need to examine: what has changed?

On the question of scientific breakthroughs and promise, Professor Loane Skene, who was a member of the Lockhart committee, gave a presentation to those members of the parliament who wished to hear from her and she described therapeutic cloning as pure science. I commend Professor Skene for her candour and the frank manner in which she answered questions that were asked of her. Professor Skene is clearly an advocate of therapeutic cloning but she did not seek to mislead those who asked the question, ‘What is the promise that is available under this form of experimentation?’ She did not seek to mislead; she said that it was pure science—in other words, it held out no particular promise. So, on the scientific field, nothing has changed since 2002 when the parliament unanimously voted against cloning.

The member for Blair has just advised us of the suffering that he experiences as a sufferer of diabetes type 1. I am very sorry for that. I am very sorry for the suffering of any and all human beings. But the member for Blair then went on to say that a cure for diabetes type 1 is ‘so close you can almost taste it’ and that this proposal for therapeutic cloning is contributing to the scientific knowledge that will lead to a cure for diabetes type 1 which is ‘so close’ that ‘you can almost taste it’. That is, unfortunately, incorrect. There has been no development in relation to therapeutic cloning that would give the member for Blair, and other sufferers of diabetes type 1, any hope or promise that such a cure will be found through therapeutic cloning. Indeed, there is no particular promise at all associated with this line of research.
We need then to examine what has changed in relation to the ethical consideration of this issue. The proposal before us creates a new ethical boundary. There is no dispute from the Lockhart committee that the bill would allow the creation of a human embryo, yet in his contribution the member for Blair said that this would not be an embryo and that an embryo would not be created despite what ‘ideologues’ say. I do not believe for a moment that asserting that this process creates a human embryo is an ideological position. The Lockhart review committee’s report said that this is the creation of a human embryo. Is the member for Blair accusing them of ideology when they conceded—volunteered—that this was the creation of an embryo, when they are, in fact, advocates of therapeutic cloning? It is incorrect for the member for Blair to assert that this embryo has a social or relational significance. The Lockhart review asserted with full confidence that there is no doubt that this process does create a human embryo.

Furthermore, there is no dispute that such embryos are destined for destruction. The Lockhart committee does not assert otherwise. It is very open and honest that the purpose of the creation of these human embryos is for experimentation and destruction. That is beyond debate and beyond dispute. The boundary that we are being asked to cross in this parliament is to create a human life for the purposes of experimentation and then destruction. That is a huge ethical boundary that we must all consider very carefully.

What significance are we to attach to the embryo so created? Those who argue in favour of this legislation effectively answer ‘not much’; it is not really very important. Those who argue against this legislation say that this embryo is important. Again we should look at what the Lockhart committee report says about this, because it needs to grapple with this new ethical issue. It says: ... the Committee found that, while it was difficult to logically define a moral difference between embryos formed by fertilisation and those formed by nuclear transfer or related methods, it appeared that embryos formed by fertilisation of eggs by sperm may have a different social or relational significance from embryos formed by nuclear transfer.

Those are the key words: ‘a different social or relational significance’. This becomes the new ethical definition: if an embryo has a social or relational significance, we should respect it and protect it; if an embryo does not have a social or relational significance, we should not worry about its destruction. What a subjective judgement that is. Who is going to go around Australia and the world deciding whether a particular embryo has a social or relational significance? That is very worrying. It is very dangerous territory to have such subjective judgements made outside of this parliament by people who just determine on the basis of their own view of the world whether a particular embryo that has been created has a social or relational significance. As Father Frank Brennan argues, this is very dangerous territory.

When does a cloned embryo attain such a social or relational significance that it then demands, according to those who wrote the Lockhart report, proper consideration, respect and protection? Apparently the answer to that is on the 14th day. How about that! On the 13th day, this embryo does not have a social or relational significance. On the 15th day, it does have a social or relational significance. So, on the 14th day, we will destroy it to prevent it getting a social or relational significance on the 15th day. That there is something magical about the 14th day is an absurd proposition. I asked Professor Skene and others, ‘What is this great moral event that occurs on the 14th day of
the existence of this embryo so created?’ The only answer they could give was, ‘We think that is roughly when nerve cells begin to form. Since nerve cells could begin to form around then, it might hurt this organism when it is killed.’

This is quite absurd. They needed a number, they chose the number 14 and then they tried to give some meaning to that number. I then asked, ‘How could we be assured that we as a parliament are not asked to then approve the creation of these embryos for, say, 28 days or 56 days or 112 days?’ The answer was, ‘No such request has been made overseas.’ Great! We are now reassured that, because no request has been made overseas to date, no such request ever will be made. By this time, we have crossed the ethical boundary. As other speakers, such as the member for Werriwa, have said, is there a new boundary to be crossed which is called ‘the early stages of foetal development’? Are we then going to be asked to approve the creation of and experimentation on an embryo right up to and including the early stages of foetal development, and then approve its destruction? Surely the parliament would be getting pretty squeamish about that, but I do not know where the boundary is once you create the 14 days. I do not know where it stops, and that is why I believe it is so dangerous.

We all—everyone in this parliament—want cures to debilitating diseases that prematurely end lives and that so badly affect the quality of life. But all the advice that has come to me and to other colleagues who are arguing against this legislation is that adult stem cell research holds more promise than the pure science, as described by Professor Skene, associated with therapeutic cloning. The fact of the matter is that all of the representations that I have received on this from local residents of the electorate of Rankin have asked me to vote against it. Not one has asked me to vote in favour of it. Other people may have had different experiences, but I am reporting at least one indicator of the feeling in my community, and I always take account of the feelings that are expressed in the community that I represent. Ultimately, we are being asked to agree to the creation of human life for the purposes of its destruction. I cannot agree with that, and I oppose the bill.

Mr ANTHONY SMITH (Casey) (12.53 pm)—When this parliament debated the difficult issues of embryonic stem cell research and cloning four years ago, I made the point in this House that the propositions upon which the Research Involving Embryos and Prohibition of Human Cloning Bill 2002 had been constructed challenged every one of us in this House to balance two critical issues: firstly, the innate and worthy desire of mankind to improve, to conquer diseases and to progress to new frontiers of medical science; and, secondly, the need to maintain medical research within ethical boundaries.

Like many speakers, I reflected on the fact that pushing the frontiers of medical and scientific research has been a hallmark of our civilisation. It is the reason mankind has continuously progressed. All of the inventions, the discoveries and the breakthroughs that have moved society forward have been the result of constant human endeavour and the desire to overcome obstacles, to stretch the boundaries and to push the limits. The engine of human progress has been driven by a desire to continually improve, to never reach a point where we say we have done all we want to do.

However, as a society we have always had to, and in the future will always have to, pause and consider the important ethical arguments as we move to new areas of human endeavour. Four years ago the great question was whether the propositions advanced in
the bill crossed that ethical divide and breached a fundamental ethical boundary of mankind. Back then, the proposition was of course to allow embryos excess to the IVF program to be used for research. Cloning of all types was prohibited.

The choice was this: should excess IVF embryos which were destined for destruction in any case be made available for research within important and strict boundaries? Some argued at that time that the 2002 bill crossed that ethical boundary because the embryos would be destroyed as a consequence of the research. I did not agree with that view. Four years ago I supported stem cell research on excess IVF embryos within boundaries; otherwise the embryos would either remain in a freezer in perpetuity or be removed and cease to exist. Whilst I fully respected the views of those who opposed stem cell research in the 2002 bill, I wholeheartedly agreed with the Prime Minister, who said during the debate:

In the end, I could not find a sufficiently compelling moral difference between allowing a surplus embryo to succumb by exposure to room temperature, on the one hand, and the use of those embryos for potentially therapeutic research, on the other. That is why, in the end, I come down in favour of therapeutic research.

Today in the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 we are faced with a new decision. We are asked to move beyond the 2002 framework by allowing the creation of cloned embryos for research. Fours years ago I strongly believed that the proposition advanced at that time and eventually legislated did not cross or breach the ethical boundary. In reaching that decision I disagreed with the minority who opposed any embryonic stem cell research whatsoever.

Four years ago we were asked to allow research on existing embryos which had been created but which would otherwise be of no use or destroyed. To that, I said yes. Today we are asked to give permission to create cloned embryos for research. To that, I must say no. Four years ago, after careful consideration, I strongly believed that the proposition that was advanced did not cross the ethical boundary. Today, I strongly believe that the proposition advanced in this bill would cross that boundary, and for that reason I will not vote in favour of the bill.

There are some who say that there is no difference at a scientific level between an embryo created through the IVF process and a cloned human embryo, each of a few days duration. At a scientific level, I am sure they are probably right. But that is not the issue that matters for me. The issue that matters is the intention. The excess IVF embryos which are available for research but not cloning were created with one intention: to create a human life, a person who would be born and live a life. What is proposed in this bill is the ability to create cloned embryos with a different intention: to conduct research.

I accept that the intention of the proposed research is still to provide for life by seeking to find cures to the most afflicting diseases confronting our fellow citizens today and into the future. I accept the good and noble motives of those advancing that proposition in this debate, but I cannot agree that the two are ethically equivalent. I also do not criticise the scientists and medical experts for advancing these propositions, although I must note in this debate that by no means are the medical or scientific communities united on this bill. I do not criticise them because it is their purpose to strive for new frontiers. However, it is society’s role, and particularly this parliament’s role, to determine the boundaries and legal framework. That is what we are here for.
I respect the views of those who support the bill, even though I differ with them, and I do not agree with every argument advanced by opponents of this bill. However, I have weighed the issues carefully, as I did on the last occasion. Whilst all of us will have differences in one way or another on matters such as this, we should all be united by the wonderful advances scientists are making with adult stem cells, which are showing real promise, and the prospects that embryonic stem cell research may show within the unanimously agreed guidelines of 2002.

The debate has involved some passion. Some have criticised that, but I do not. If there were not passionate argument, advocacy and disagreement on issues such as this, we would have some cause to worry about the capacity and health of our parliament. As is always the case with conscience votes, all of us, irrespective of how we vote, will disappoint some people and please others. I have received a considerable number of phone calls, faxes, emails and letters. For those Casey residents who took the time to let me know their views, I thank them. I have read and listened to everything put to me, but my decision and my vote on this matter has not been determined by the calculation of the weight of opinion within the community or within my electorate, but rather, as it should be in any conscience vote, by my own consideration of the detail of what is proposed and my own conscience.

Mr MARTIN FERGUSON (Batman) (1.02 pm)—Although it cannot be pinpointed exactly, evidence suggests that life on earth has existed for about 3.7 billion years. It has also been suggested that about 130,000 years ago the first primitive humans walked the globe. For much of that time, humanity has debated the questions of what life is, how it is defined and what form it can take. This longstanding debate has sought to define the ethical boundaries surrounding these questions and, as time has progressed, these boundaries have changed, adjusting to society’s technological and research developments and requirements. The debate that we are holding today will not be the last debate of this nature. It is something society will expect and constantly question and, thanks to our democratic society, it is something that will always be debated. They are pertinent questions as, in essence, this is what we are debating here today.

Following the private member’s bill introduced by Senator Kay Patterson in the other place, the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 seeks to amend the Prohibition of Human Cloning Act 2002 and the Research Involving Human Embryos Act 2002 so that they are in line with the 2005 recommendations of the Lockhart legislative review committee.

As we all appreciate, scientists tend to argue that the primitive streak is the first sign within the dividing cells of a multicellular structure that signals life. If development of this primitive streak were allowed to continue, it would ultimately become the basis of the nervous system of an embryo. A nervous system would enable pain to be felt and signals the possibility that a more complex life could develop. It is also fair to say that not everyone agrees with this position and some argue that really this is all just a semantic game. But such an argument dismisses the very core of this issue; it is why we are here today debating this bill in a proper, constructive and cooperative way through a conscience vote.

The ethical dilemmas surrounding the issue of embryonic stem cell research are founded in individual definitions of when and how life is created. Very few of us in this House are scientists, but an understanding of the processes involved in the issues we are
debating is necessary so the complexities of this bill can be digested and an informed conclusion can be made.

Central to embryonic stem cell research is the process of somatic cell nuclear transfer—SCNT technology. This process involves taking the nucleus of a somatic cell, such as a skin or blood cell, and implanting it into an egg. Through chemical and physical stimulation, cell division occurs in the same way that an egg fertilised by a sperm would commence to divide and go on to create an embryo. However, where the issue is complicated is whether or not you can speculate that the entity created by SCNT technology is an embryo. It is a question up for debate, along with the question of whether or not this entity would develop into a foetus. Can an embryo only be created through the fertilisation of an egg by a sperm? If not, could a human clone be produced through an entity created through SCNT technology?

No human being has ever been cloned and so whether or not a comparable process would result in the birth of a human clone baby is unknown. One of the reasons a human clone has never been produced is that, just as it is here in Australia, and appropriately so, in many countries across the globe human cloning is banned for obvious, substantive reasons. Let us also be clear: this bill does not change that. Human cloning and the processes that might—give rise to this process are still outlawed in Australia, and any breach faces heavy fines. And so it should.

The issue of human cloning is not up for debate today, although some people may be forgiven for thinking it is. This issue of embryonic stem cell research using SCNT technology processes is complex, yet too often the debate is obscured by emotive reactions and fearmongering that reduces the debate down to one that suggests the passage of this bill will allow scientists to create a human clone. That is not what this debate is about.

Dr Gregory Pike, the Director of the Southern Cross Bioethics Institute, has referred to the preferred use of the term ‘SCNT technology’ over ‘therapeutic cloning’ as a case of semantic gymnastics. But many scientists see the term ‘SCNT technology’ as a more accurate one, as ‘therapeutic cloning’ does suggest that cloning is taking place, when this really is not the case. The SCNT process is not cloning, despite what those of us who do not have a scientific background would think.

This brings me to an important point. There is a widespread very low level of understanding of the actual issue and the processes involved. This is not due to ignorance on behalf of the public or an inability by the media to accurately convey the issue; rather it reflects the fact that embryonic stem cell research using SCNT technology is highly complex and that, at the end of the day, it boils down to some very small differences in definition.

Objections to the legislation based on current public opinion that does not support the issue of therapeutic cloning or SCNT need to take this into consideration, because it is worthy of contemplation: if the public had a good grasp of the science being applied, would that change public attitudes? This is an important part of this debate, because more often than not, when people do not fully understand the issue at hand, they are more likely to make an emotive judgement. This is particularly the case with public opinion regarding anything concerning cloning, which is always guaranteed to evoke in people’s minds a situation where science is out of control and is being pursued almost as if it were a game, and that is not the intention of the bill before the House or of any members of the House or the Senate, where this bill
has previously been debated. In highlighting this point, however, once again I would like to stress that I do not feel that the low level of community understanding on this issue is a negative reflection of the public’s aptitude or that of the media, but it simply highlights the intricacies that define the debate and the need for such education deficiencies to be overcome.

This brings me to another important point: the question of intent. While there is a lot of speculation about whether or not it is ethical to endorse SCNT technology as a form of scientific research, because it might produce a life form and that life form might develop into a clone, these are not issues concerning this bill, as they are addressed through stringent safeguards contained within it and supported by all participants in this debate. The bill clearly lays down requirements that any stem cells produced through SCNT technology be destroyed after 14 days. This is not a randomly selected figure. It is commonly believed in science that after the 14th day from when the nucleus of a somatic cell is transferred into an egg there is a likely chance that a primitive streak will develop. As I mentioned before, this is a critical stage because if a primitive streak is allowed to develop it ultimately signals the possibility that a more complex life could develop. So with requirements in place to minimise any ethical complications, coupled with further requirements that restrict the use of the cells, safeguards are provided that address community concerns about the technology’s potential and intent.

The requirements governing the use of the cells require a licence to be issued by the National Health and Medical Research Council licensing committee in accordance with legislated criteria and that the research is undertaken in accordance with the licence. So far only nine licences have been issued in Australia. One joint licence has been issued in New South Wales to IVF Australia and the Diabetes Transplant Unit at the Prince of Wales Hospital to create stem cell lines from frozen excess embryos that will be used in a range of diabetes tests. All those organisations are reputable and respected institutions in the Australian community, irrespective of one’s point of view in this debate.

Australia is not alone in identifying the intent of the research as fundamental to the issue. In the United Kingdom similar requirements have been laid down in the law, with all research carried out to be undertaken for therapeutic purposes only where knowledge about the development of embryos, serious disease or the development of therapies may be gained. On the other side of the globe in South Korea, therapeutic cloning is allowed for research purposes only and is limited to 18 diseases, including diabetes, leukaemia and Alzheimer’s. The intended use of the cells will play a central role in the awarding of a licence to carry out the research and should provide the community with some comfort. This bill will not provide science free rein to experiment however and on whatever it likes in the name of science and science alone; this bill is designed to provide society with one of the best available options to enhance the quality of life of humanity.

Those in favour of the bill have highlighted that SCNT technology is a necessary vehicle for future medical solutions and that, while, yes, gains have been made scientifically in the area of adult stem cell research, both of these lines of research need to be explored in order to gather the most intelligence we can about serious diseases afflicting our society. This is not a debate choosing between adult stem cell research and embryonic stem cell research. Both have enormous potential and both need to be explored, as they hold significant benefits in finding a potential cure or advancement that would
improve the health status of people suffering a variety of diseases such as diabetes, heart disease, cystic fibrosis, Parkinson’s disease, Alzheimer’s disease, multiple sclerosis, motor neurone disease, spinal cord and brain damage, and muscular dystrophy.

In Australia almost 92,000 people suffer from type 1 diabetes, making up 0.5 per cent of the total population and a growing problem. It is a horrible disease that severely affects the quality of life of the sufferer. I also draw the attention of the House to the fact that, increasingly, we are seeing it emerge in children, which means that they will have the terrible disease for life and that their lives will be shortened by up to 15 years. In 2004 alone, almost 1,000 children were diagnosed with the disease.

There is therefore a real need for science, through a controlled process, to explore avenues that present us with the possibility of finding a cure or at least a development that will help reduce symptoms and complications. No-one in this debate is suggesting that the ultimate answer to diseases like diabetes lies in embryonic stem cell research alone, but it does present us with enormous possibilities to advance science for humanity’s sake. To suggest that this form of research will provide the answers to the world’s health problems would be foolish and ignorant of the nature of science. Very much like politics, science is a field defined by incremental gains with small steps that, combined, allow for significant advances, rather than sudden revelations. Embryonic stem cell research is just one small piece of a much larger puzzle.

At present, adult stem cell research is already being used to treat over 70 human diseases, but embryonic stem cell research is still in its infancy. That is why we are having this debate today. It is an area that has only been explored for eight years compared to the 50 years of adult stem cell research. Can we legislate against this avenue of scientific exploration on the grounds that it might not yield any significant results, when so much is still to be explored?

What if it does provide a pathway to finding a cure for diabetes? I am not saying that any means should justify that end—such would be a dangerous approach. But I do support the bill, as it presents an appropriate opportunity for advances that will ease human pain and suffering. Furthermore, I support it because stringent requirements have been incorporated into the bill. These requirements will ensure that any research is carried out with a clear intent that accords with the fundamental purpose for which this bill was created. I believe it does strike an appropriate balance between scientific advancement and research monitored through regulation and the valid concerns of the community.

That is why I stand here today to indicate my clear support for this bill, as I am a person who will always look towards hope rather than be held back by fear. I also extend to the House my appreciation for the opportunity to participate in this debate—it is an important debate—and for the manner in which it is being approached by all members of the House. These conscience votes give us a terrific opportunity to do our own research and to express our individualism. I commend the bill to the House.

Dr SOUTHCOTT (Boothby) (1.17 pm)—Firstly, I want to go to the heart of why the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 will be decided through a conscience vote. The reason is that issues surrounding life, the creation of life and so on are not issues that are party political in Australia. The political parties were formed around issues in the
workplace, industrial relations and the role of government. I believe it would be a very backward step if ever we did have political parties formed solely around one side of the argument on matters such as we are now debating. We see in the United States, for example, that the parties have to a much greater extent coalesced around issues such as abortion. You see that campaigns there are very much dominated by such divisive issues as abortion or embryonic stem cell research. I say: long may we have a diversity of views within political parties on these issues of life. That is why having a conscience vote is very important—because there is not a 'party view' on this issue.

When we weigh up a conscience vote, as members of parliament we listen to the evidence and to our constituents and we look deeply to our own experiences. As members of parliament we all come to this place with different formative influences and different motivations and we draw from different sources of inspiration. As a medical student and doctor before coming into parliament, I remember being inspired by reading the stories of historic medical advances. I think of the story of the Canadians Best and Banting, who isolated insulin from the pancreata of dogs in a small lab in Toronto in the 1920s. That discovery has improved and saved the lives of millions of people with diabetes today.

I confess that Howard Florey was a boyhood hero of mine. He was from Adelaide, studied at Adelaide medical school and grew up in the electorate of Boothby. By using the earlier discovery made by Sir Alexander Fleming of the penicillium mould, Howard Florey was able to develop the antibiotic penicillin—a development which was available for soldiers in the Second World War and has been used for the last 60 years. This was another landmark development which triggered further advances.

These are just some of the breakthrough developments in the treatment of disease in the last century. Some advances have been controversial; some have been ethically challenging. I think of organ transplantation. Organ transplantation is widely accepted today. We have a national organ donor register. Several states encourage citizens to nominate on their driver’s licences their wish to donate organs in the event of their death, and yet to harvest organs requires a very difficult determination by two medical practitioners that a donor is brain dead. It involves the harvesting of organs from an individual with no prospect of further life.

There have been a lot of comments and arguments about embryonic stem cell research. The main issue today, though, is the issue of somatic cell nuclear transfer. That is the threshold issue which the parliament must consider. What we need to do is weigh up the hope of advances through this technique within an ethical framework against the moral and ethical considerations that this technique involves.

Firstly, what is involved in somatic cell nuclear transfer? There has been considerable confusion about the science of this approach, even from some of the journalists reporting on this debate. It does not involve removing the nucleus of an embryo, which I have seen several articles state. The constituent parts of an SCNT embryo are a cell and an egg. The cell might be a skin cell. The technique involves removing the nucleus from an egg and then replacing it with the DNA from a donor cell such as a skin cell.

This would only ever occur with the consent of the person from whom the cell is taken. It would only occur with a specific purpose to remedy some ill, such as diabetes or Parkinson’s, for that individual. It would only occur for a specific purpose as determined by a patient’s clinicians. It would only
occur if an application were granted by the NHMRC licensing committee. It would only occur if it were given the go-ahead by the ethics committee of the university or the hospital that was conducting this technique. It would only occur if it were consistent with the professional ethics of the college of which the clinicians were members. But ultimately it would only occur if the individual whom the therapy was for made the decision that this therapy was for them.

I have decided to support this bill. I believe that there is a range of views on the science and on this therapy. I believe that individuals can determine this decision for themselves and that it should be done subject to a very tight regulatory framework. I should point out that the chance of an SCNT embryo being a viable embryo is less than one per cent. Of course this legislation prohibits the embryo ever being implanted. It prohibits an embryo going past 14 days. SCNT is legal in Belgium, China, Japan, Mexico, New Zealand, South Korea, Singapore, South Africa, Sweden, Thailand, the United Kingdom and the United States.

I draw to the attention of the House an article which appeared in Nature Biotechnology on 10 October 2006 by D’Amour et al demonstrating how a group in California has developed pancreatic endocrine cells from human embryonic stem cells. They have produced cells which can produce all of the pancreatic hormones. This has enormous implications for people with diabetes and indicates that the science is perhaps further advanced than any of us had thought.

I would like to say a bit on the issue of chimeras and hybrids. I agree with the comments of the Chief Scientist, Jim Peacock, who said that chimeras should not be allowed. There were very few submissions to the Lockhart review which mentioned it. I believe that the Senate amendment was a sensible one. The issue of chimeras, or animal hybrids, was much more controversial than the issue of SCNT, which we are considering.

The weight of opinion in the scientific community is in favour of this bill proceeding. The weight of opinion in the medical community is in favour of this bill proceeding. I would like to close with some words by one of our most eminent scientists, Sir Gustav Nossal. His submission to the Lockhart review stated:

Embryonic stem cell research is rich in promise. It has already demonstrated its potential in the study of disease causation, in development of new diagnostic methods and in basic research. In the longer term, the possibility of new therapies for serious diseases is real, though this will be the work of decades rather than of years.

This bill offers some hope for these therapies. Regardless of our decision in the parliament, this research will go on around the world in a large number of OECD countries. If this bill does pass, Australia will be part of that ongoing research. I support the bill.

Ms MACKLIN (Jagajaga) (1.27 pm)—New science and new ideas often spark controversy, as people question their own views on what is right or wrong. From William Harvey’s 1628 discovery that blood circulated in a single direction to The Origin of the Species in 1859, progress often occurs against our will. Embryonic stem cell research is the latest in a long line of confronting sciences. We are yet to see if embryonic stem cell research will be proven effective against a range of diseases and conditions, but in my view that is not a reason to prevent this research from occurring. Paul Brock, an amazing man, a motor neurone disease sufferer and a deeply religious man whom I am privileged to know, drew an analogy to Ian Frazer’s work with the human papilloma virus. It took 20 years of painstaking research to come up with a vaccine. We should
not give up on embryonic stem cell research when embryonic stem cells were only discovered in 1998.

People like Paul Brock support this research not for their own sake but because it offers hope to so many disease sufferers in the future. That is why we are here debating the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006. That is why we are talking about somatic cell nuclear transfer, or SCNT—because many people feel a moral obligation to address this suffering. SCNT is a process where the genetic material, or DNA, is taken out of an egg and replaced with the nucleus of a normal human cell like a skin cell or a blood cell. The newly constituted egg then divides into more cells once stimulated artificially.

Through this extraordinary process, scientists are working towards extracting DNA from the cells of people with genetically based conditions such as type 1 diabetes, genetic blood disorders, Parkinson’s disease and motor neurone disease and then transferring that diseased genetic material into an egg. By turning adult cells of patients with these diseases into embryonic cells, SCNT could allow scientists to look for the first time at how disease develops from day one. Down the track, SCNT could allow researchers to develop and test tailor-made drugs for those diseases, but it is the more basic research into disease development through looking at diseased stem cells that is critical today.

I support this bill because I hope that this research can alleviate the suffering of thousands of Australians. We are still a long way from widely available therapies, but I would not be here supporting this legislation unless I were hopeful about its potential. We are, all of us, elected to this parliament to represent our constituents, to advocate for their welfare and to work for their wellbeing. We all seek to fulfil those roles differently, and I certainly respect the views of those who cannot support this legislation, but it is not responsible behaviour to suggest that this bill would make ovaries ‘commercial property’ or lead to ‘rabbit men’. I believe our role is to establish markers and to place barriers to prevent unethical, irresponsible and dangerous research from taking place. We must always act cautiously, as opposed to not acting at all.

Science compels us to take action because it offers hope to humanity. It also offers challenges. We have a moral responsibility to balance this hope of ending suffering against the ethical challenges that science throws at us. Ultimately, on these issues you have to always look to your own conscience. It is my duty to do what I can to alleviate the pain and suffering of Australians and to enable them to live a good and fulfilling life. That is one part of the moral question. The other part is to protect the essential individuality of each human being and to not allow humans to be created only for research. For me, the pain and suffering of millions of people with diabetes, Parkinson’s and motor neurone disease takes precedence over an SCNT embryo that is not unique genetic material but is created in a laboratory and, by law, will not be implanted into a woman’s womb.

Paul Brock and millions of people like him are already here among us—fully-fledged people whose lives have been tragically changed or cut short because of disease. For me, their lives matter a lot. We do not bemoan the loss of an egg every month or the loss of sperm. Eggs and sperm both hold within them the ingredients of life, yet we do not think of them as human beings. But we once did. Before microscopes, sperm was regarded as special in the same way—each sperm was considered a ‘homunculus’, or a little human, that was placed inside a woman for growth into a child.
Some argue that it is too soon to consider somatic cell nuclear transfer. We are told that the parliament is being rushed into this legislation by overexcited scientists. It is true that stem cells have not delivered any therapies yet, but it is sobering to remember that embryonic stem cells were discovered a mere eight years ago. Adult stem cells have been researched for around 50 years. In those eight short years, embryonic stem cell research has come along in leaps and bounds, much of it because of Australian scientists.

From the first isolated examples of the derivation of human embryonic stem cell lines, scientists have developed more than 75 fully characterised lines. Despite claims to the contrary, a proof of concept of the principle of therapeutic cloning in animals was established in 2000, right here by an Australian scientist—by Megan Munsie, a great young woman. As yet, no human stem cell lines have been derived through SCNT. Earlier this year, a group of Australian researchers reported using human embryonic stem cells to create a human prostate in a mouse. I am sure that the 12,000 Australian men who are diagnosed with prostate cancer every year will be watching that research carefully.

Science does not proceed in a neat and linear fashion. We should not hold back research on the basis that not enough research has been conducted. We are told that adult stem cells should be used instead of embryonic stem cells. It is the case, undeniably, that advances are being made in adult stem cell research. It is also true that adult stem cells are almost impossible to grow in culture, which is why we have to transplant adult stem cells, such as with bone marrow. In addition, after more than 30 years of use in therapy, bone marrow cells still cannot be grown in culture as generic undifferentiated cells. We need to support research in both areas because both have different things to tell us. If we do not allow properly regulated research on embryonic stem cells, we will lose our best minds to those countries which have already resolved these issues.

One thing I am deeply concerned about with SCNT is the possibility of exploitation of women through embryonic research or any other form of research. We know how gruelling IVF can be for women. I am sure that everyone in this parliament would agree that we do not want to see any woman being forced to go through that process to extract eggs. When IVF was first introduced, many women were concerned about the impact. But the joy that IVF has brought to so many families is there for all of us to see. The way to stop exploitation is to give women the power to make decisions about their bodies and their reproductive lives. The regulatory environment around IVF has worked well to give women choices. Forcing women to give up their eggs or paying them for their eggs is illegal under the current legislation and in this bill, with penalties of up to 10 years in prison. If scientists cannot source the eggs that they need, so be it. Like blood, eggs are in short supply; however, we do not pay people or coerce them into donating blood. These lifelines should remain a gift, not a commodity. Australians have a great history of generosity as well as a strong legal environment to protect this generosity. I do not believe that anyone here wants to change that; I certainly do not.

In the Senate, women overwhelmingly supported this bill—19 out of 23. I think that counts for something. We have also heard that this bill puts us on a slippery slope. Apparently, this is the next step to creating cloned human beings. I disagree. I cannot think of a single participant in this debate who has argued for reproductive cloning. In 2002, I argued strongly against reproductive cloning, and I have not changed my views. Every one of us is unique and we must preserve that uniqueness.
We all deserve to have an equal chance, to carve out our own path in society and to contribute to that society. That is why this bill retains the ban on placing a cloned embryo inside a human body or an animal body. It will be no defence that the cloned embryo could not survive. Those who break the law could be imprisoned for up to 15 years. It will also be illegal to sustain a human embryo outside a woman’s body for more than 14 days, regardless of how that embryo was created. The safeguards are there. In fact, this bill tightens up many established IVF practices, such as explicitly making it an offence to create an embryo by fertilising an egg with sperm unless it is for implantation in a woman’s womb.

The Australian science community has a long history of working with state and federal governments to properly regulate research that poses difficult ethical questions. We already have the technology to test and select embryos for diseases and conditions as well as for gender and other more controversial genetic factors. Amniocentesis has been available since the 1970s, and we have dealt with the ethical issues involved in that for years. Since the early 1990s, genetic testing and screening of embryos has been available to couples undergoing IVF so that they can decide which of their embryos should be implanted.

In my own state of Victoria, the Infertility Treatment Authority regulates these reproductive technologies strictly. Genetic Health Services Victoria will test only for a restricted set of diseases and conditions. Parents then have the choice of terminating or not implanting the embryo, but that choice is limited within an ethical framework.

Difficult choices, no less difficult than the one we face with this bill, are made by Australians every day. In my view, we should not be screening potential children based on appearance or gender; but equally, in my view, we should reduce pain and suffering where we can. Where to draw the line on termination is, of course, a question for the parents concerned. We can only examine these difficult ethical questions about science as they arise. That is the lesson from IVF, amniocentesis and genetic testing.

In many ways, the bill before us today is a striking parallel to the IVF debates of the 1980s. IVF challenged us to think about whether it was right to create embryos in a laboratory. More importantly for us today, IVF creates thousands of excess and genetically unique embryos that are destined never to become babies. The IVF debate raised the same issue that we face today: should we create an embryo knowing that it could be destroyed? Even with the embryos that are implanted, only 20 per cent take hold and become children.

Unlike the SCNT embryos we are dealing with in this legislation today, IVF generates excess embryos with unique genetic footprints through the fertilisation of sperm and egg. We have over time reconciled ourselves to the consequences of IVF and the creation of excess embryos. Since the birth of Candice Reed, the first Australian whose birth was assisted by IVF in 1980, we have welcomed thousands of IVF babies—around 7,000 last year alone—in Australia. I certainly would not deny parents the joy that these children have brought. I cannot deny that this is a difficult decision, but I support this bill knowing the hope that it offers to disease sufferers.

We have come a long way since Watson and Crick ‘found the secret of life’, the structure of DNA, over 50 years ago. Let us not run away from the amazing promise of medical research. Let us confront it head-on and guide both science and society towards its potential. I support the bill.
Mr JOHNSON (Ryan) (1.43 pm)—I am pleased to speak on the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 in the Australian parliament today. I want to thank my friend and colleague in the Senate Senator Kay Patterson for drafting this bill to the high quality and probity that is clearly reflected in it. I consider this bill to be one of the most important pieces of legislation that has come before the parliament in the five years that I have had the great honour of sitting in the House of Representatives.

There has been a lot of advocacy and passion in this debate both in the parliament and in our communities—certainly in the electorate of Ryan. I welcome and respect that debate as being healthy for our democracy. We have a conscience vote on this bill—and I will be voting according to my conscience—so I hope that the residents of Ryan will accept my position whether or not it coincides with theirs. In exercising my vote of conscience I will, therefore, be consistent with the views I have expressed in previous public statements on this issue. I indicate formally in the parliament today and to the people of Ryan, whom I proudly represent, that I strongly support this bill and that I will be voting for it.

This is a profoundly important bill because it is about giving people hope that some of the most terrible diseases on the face of our planet, which inflict immense suffering on people, can be cured at some time in the future. It gives hope that cures will be found for Alzheimer’s disease and Parkinson’s disease, diabetes, spinal cord injury and various forms of arthritis, not to mention strokes and many of the cancers that destroy the lives of our loved ones and friends.

The background to this bill lies in the recommendations of the Lockhart report. In June 2005 the then Minister for Ageing, the Hon. Julie Bishop, appointed a six-member legislation review committee to independently review the Prohibition of Human Cloning Act 2002 and the Research Involving Human Embryos Act 2002. The legislation review committee was chaired by the late John S. Lockhart AO, QC, a former justice of the Federal Court of Australia and a distinguished Australian. The review committee received 1,035 written submissions and heard personal presentations from 109 people across every state and territory in our country. The committee reported to the minister in December 2005, recommending:

... continuation of national legislation imposing prohibitions on human reproductive cloning and some other ART practices, as well as strict control and monitoring, under licence, of human embryo research.

The Committee believes that it is important for Australia to maintain its role as a leader in the advancement of high quality and ethically sound scientific research and medical practices. To this end, we support the continued use of both adult and embryonic stem cells under existing guidelines for research and do not recommend that any additional legislative restrictions be applied.

On the contentious issue of Somatic Cell Nuclear Transfer (SCNT), sometimes known as therapeutic cloning, the Committee has given its support for SCNT and the creation and the use in research of certain other types of experimental embryos in the very early stage of their development and under strict ethical and scientific regulation.

The Committee agreed that the existing prohibitions in place to prevent reproductive cloning and the placement of prohibited embryos in the body of a woman should be maintained.

The amendments in this bill, therefore, are based on the recommendations of the Lockhart review.

About 300 trillion cells make up the human body, and most of these cells are fully specialised for functions in organs such as the heart and the brain and in tissues such as
muscle, fat and bone. Stem cells are the foundation cells for every organ, tissue and cell in the body. They are undifferentiated blank cells that do not yet have a specific function. Under proper conditions stem cells begin to develop into specialised tissues and organs and serve as a biological repair system for the body. Stem cells can also be induced to become other types of cells—for example, blood cells, muscle cells or neurons.

The unique characteristics of stem cells are such that they show great promise for the treatment of debilitating illnesses such as Alzheimer’s disease, cancer, Parkinson’s disease, type 1 diabetes, spinal cord injury, stroke, burns, heart disease, osteoarthritis and rheumatoid arthritis. Currently, patients must rely on the use of donated organs to replace organs which are diseased or unable to function fully. I think, I certainly hope, that all Australians are aware that, sadly, the demand for donated organs far outstrips supply. I would encourage Australians to consider being volunteers in organ donation.

Stem cells derived from embryos have the greatest potential to become a wide range of other cells found in various tissues and organs within the body. I understand, from research conducted to date, that stem cells derived from adult tissues appear to have a more limited potential, as they are not able to differentiate as widely and are often confined to reproducing cells identical to those found in the tissue from which they were harvested.

The focus of this bill is on human embryonic stem cells which are derived from human embryos that are four to seven days old. At this stage of development, the embryo is a hollow ball of about 200 to 250 cells and is no bigger than a pinhead. Embryonic stem cells are currently taken from spare embryos that come from eggs fertilised in an IVF clinic. They are donated for research purposes only, with informed consent from the donors. Legislation currently prevents the use of an embryo which is conceived naturally and harvested from a woman. This amendment bill retains this important restriction. Currently, embryos cannot specifically be created for research purposes.

The amendments put forward in this bill are a combination of retaining existing prohibitions and lifting certain restrictions in order to enable further research to occur. The fundamental intention and effect of this bill is to lift the restriction of certain types of research involving embryos, provided that the research is approved by the NHMRC Licensing Committee and that the activity is undertaken in accordance with that licence. Under the proposed legislation, before the NHMRC Licensing Committee can grant a licence they must be satisfied that the proposed project has been considered and approved by the Human Research Ethics Committee, which is constituted in accordance with, and acting in compliance with, the NHMRC’s National Statement on Ethical Conduct in Research Involving Humans. Under the terms of this bill, a researcher may apply for a licence to:

... use excess ART embryos;
create human embryos other than by fertilisation of a human egg by a human sperm, and use such embryos;
create human embryos (by a process other than fertilisation of human egg by human sperm) containing genetic material provided by more than 2 persons, and use such embryos;
create human embryos using precursor cells from a human embryo or a human fetus, and use such embryos;
undertake research and training involving the fertilisation of a human egg, up to but not including the first mitotic division, outside the body of a woman for the purposes of research or training …

The bill retains existing prohibitions on the activities of human cloning, importing or
exporting a human embryo clone and creating a human embryo for a purpose other than achieving pregnancy in a woman.

Medical and scientific research are lifetime endeavours. They are a lifetime’s work for those brilliant people in this noble field of work, and such work crosses generations. Today’s research will benefit generations of Australians to come, just as today’s Australians are benefiting from the medical and scientific research of the brilliant minds who came before us. Who among us would not admire Edward Jenner, the man responsible for the discovery of the cowpox vaccine, used against smallpox? More than 200 years ago many tried to cast aspersions on his character and on the terrible consequences that would flow from using his vaccine. The potential for stem cells as a treatment of a number of serious diseases and injuries offers hope to millions of patients worldwide. That is the key point: the potential does exist. This bill is all about hope; it is not some pie-in-the-sky hope, not some unrealistic hope, not some misleading hope, not some deceptive hope but a realistic and meaningful hope, an authentic and genuine hope that is rooted in genuine medical knowledge and research.

In conclusion, let me quote the remarks of a man for whom I have immense regard and admiration, an Australian about whom many of my fellow Australians would share my view. He is a resident of my electorate of Ryan. His name is Ian Frazer. His great work has earned him his reputation. On 30 November he wrote to senators of the Australian Senate and to members of the House of Representatives. I want to quote Ian Frazer because I think all Australians should be aware of what he had to say. He said:

As a medical researcher, I hope you support the bill in its entirety. In the 1970s there was considerable public debate about the morality and safety of genetic engineering, and a worldwide moratorium on research in the area was considered. If the moratorium had been implemented, then the cervical cancer vaccine would not have been developed in the 1980s, and a means to prevent half a million deaths worldwide each year would not have been developed.

The decision you make on Senator Patterson’s bill will determine the ability of Australia’s medical researchers to participate in this exciting new field, and in the longer term has the potential to impact on the quality of medical treatment our children receive. Will our children look back in 25 years and say ‘Our parliamentarians made the right decision, that gave us access to cures for diabetes, heart disease, and neurological disorders’... I commend the remarks of Ian Frazer, 2006 Australian of the Year, to the parliament, to the residents of Ryan and to my fellow Australians who may be listening. He is, of course, the man who can take much responsibility and credit for the cervical cancer drug Gardasil. Many young women, not only in this country but throughout the world, will benefit from the brilliance of Ian Frazer. I commend this bill to the parliament.

Mr ADAMS (Lyons) (1.54 pm)—In speaking to the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 I want to focus on what I see as two essential elements—the science and the ethics. Each informs the other, and in order to reach a final position on this matter an understanding of both areas is essential. The Lockhart review considered the science and the Lockhart review considered the ethics. The Lockhart review made recommendations for change—changes that I believe would be to the benefit of both Australia and Australians.

I am first going to focus on the science, as there are elements of this area that have been twisted and turned around in such a manner
that the facts have been completely distorted. For example, the Lockhart review recommended the use of animal cells as host cells as part of the SCNT, the somatic cell nuclear transfer, process. There are some who have interpreted this as meaning that we are about to allow the breeding of animal-human hybrids. Such a claim is absurd. The science is such that it is extremely—and that is very, very extremely—unlikely that any hybrid would ever develop. To even attempt this would require implantation of the said embryo, something that the Lockhart review recommended to be illegal. Such over-the-top embellishment of the actual science itself is a mere scare tactic used by opponents of this bill and the research that it will allow.

To make it clear that I do know what I am talking about, I am highly aware that this particular recommendation has not been accepted in the amended bill that we are debating today. The reason I mention it is to highlight and provide an example of the highly emotive and misleading arguments—arguments designed to produce a reaction of fear and not based on any particular evidence from the science itself—that some are proposing about this legislation.

On another angle, much has been made about the possible future benefits surrounding stem cells and embryonic research. However, it is important to understand that these benefits may take years to unfold. The scientists themselves are as cautionary as any when it comes to the potential benefits. As outlined by Hall and others in an article published in March of this year titled ‘Using therapeutic cloning to fight human disease: a conundrum or reality?’, there has been some success on the therapeutic use of stem cells in treating conditions similar to Parkinson’s disease in both mice and monkeys, but it has not been conclusive. There is merely an indication that such a use may be potentially beneficial to the human race in the future. In fact, as stated by a public health scientist, Kristina Hug, it is not the stem cells themselves that are the means to an end in this respect; it is the application of the derived stem cells for treatment that is the area of this potential therapeutic benefit.

What we do know is that Australia has been at the forefront of assisted reproductive technology for some time through the IVF program. Australia led the world in this area. Now we have the opportunity to continue to pursue research that will provide many couples with the prospect of having their own family, their own children.

One of the areas identified by the Lockhart review that receives very little attention is the need to undertake research on embryos unsuitable for implantation. Only viable embryos are implanted. What has gone wrong in the process that results in an unsuitable embryo? We do not know, and that is the truth of it. This bill allows for research on such embryos, under licence, so that we may learn more about the IVF process, possibly correct the wrongs and possibly improve the success rate and assist many couples.

A further point that needs to be mentioned is the argument regarding adult and embryonic stem cells. It is true that there is some potential to develop adult stem cells to use in the treatment of some conditions and illnesses. However, the science says that embryonic stem cells are far more versatile. As outlined by Hug in an article published in Medicina in 2005, adult stem cells are difficult to isolate, fewer in number, difficult to keep from proliferating in culture and not so pluripotent—that is, they only give rise to a limited number of cell types—and they have been exposed to environmental toxins and a lifetime of potential genetic mutation. Hence, at this stage it appears that embryonic stem cells have the greater potential benefit. This bill contains amendments to the original act
that will allow the development of embryonic stem cell research at the same time as research into adult stem cells.

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.

MINISTERIAL ARRANGEMENTS

Mr V AILE (Lyne—Acting Prime Minister) (2.00 pm)—I inform the House that the Prime Minister will be absent from question time today. He is in Malaysia on an official visit. I will answer questions on his behalf. I also advise the House that the Minister for Veterans’ Affairs will be absent from question time today, as he is in Townsville following the Black Hawk accident. The Minister for Defence will answer questions on his behalf.

BLACK HAWK HELICOPTER ACCIDENT: HMAS KANIMBLA

Mr V AILE (Lyne—Acting Prime Minister) (2.00 pm)—Mr Speaker, on indulgence, I will make a brief comment about the Black Hawk accident. I am sure all members join with me in extending our sympathy and support to the family and friends that have been affected by this tragedy off the coast of Fiji late yesterday afternoon. I was deeply saddened to learn of the accident involving a Black Hawk helicopter on the HMAS Kanimbla. The helicopter was taking part in a training exercise when it attempted to land on the deck of the Kanimbla and was lost into the sea. One person has lost his life, one serviceman remains missing and seven others have sustained serious injuries. The search for the missing serviceman is continuing.

Our thoughts and prayers go out to the families and friends of these servicemen. It is a salient reminder to us all that the men and women of the Australian Defence Force and their families live with the knowledge that they put themselves in harm’s way to serve our country and to help our people. The personnel aboard HMAS Kanimbla are preparing and training so that they can provide support to Australian citizens, and I think I can speak on behalf of all Australians in saying that we are certainly proud of the work the ADF does on our behalf and we are always respectful of the sacrifices made by our servicemen and servicewomen.

Mr BEAZLEY (Brand—Leader of the Opposition) (2.02 pm)—Could I have your indulgence, Mr Speaker, on the same sad matter in support of the remarks by the Acting Prime Minister. I too, on behalf of the opposition, extend our sympathies to the families of the Australian soldiers involved in yesterday’s tragic Black Hawk helicopter crash. We pray for the families of the soldier who died and those who are injured. We pray too for the missing soldier that he will be found. It is a tragic loss. It reminds us that whenever our servicemen and servicewomen are in Iraq, Afghanistan, East Timor, the Solomons and the waters off Fiji it is a dangerous and inevitable part of the job. It reminds us too of the burden on their families. They are torn between the enormous pride they feel and the fear they live with every day. I am sure it is the same for the families of the four aircrew from Townsville’s 5th Aviation Regiment and the six SAS personnel on board the Black Hawk serving their country with great skill, courage and professionalism—the pride of their families. Yesterday their families’ hidden fears were made real. Today they grieve and we mourn with them.

QUESTIONS WITHOUT NOTICE

Workplace Relations

Mr BEAZLEY (2.03 pm)—My question is to the Minister for Employment and
Workplace Relations. Can the minister point out to the hundreds of thousands of Australians who marched against his extreme industrial relations laws today where in the government’s 2004 election policy he told working families that he would be taking their job security, penalty rates and family time when he got into office?

Mr Michael Ferguson interjecting—

The SPEAKER—The member for Bass is warned!

Mr ANDREWS—When the Leader of the Opposition addressed a half-empty MCG this morning, he ought to have got one clear message, and that is that this outrageous, ridiculous scare campaign is losing traction with Australian people, because they can see through it. What do they see? They see that jobs are being created in significant numbers in Australia—165,000 jobs since Work Choices came into existence and 129,000 of those full-time jobs. The only words that you never hear the Leader of the Opposition mention in this place are ‘jobs for Australians’. The only job that he is interested in is his own job, and he is not doing too good a job about that either.

Black Hawk Helicopter Accident: HMAS Kanimbla

Mr FAWCETT (2.05 pm)—My question is addressed to the Minister for Defence. Would the minister update the House with some further details of the accident of the Black Hawk helicopter that occurred yesterday near Fiji?

Dr NELSON—I thank the member for Wakefield, himself a former Black Hawk helicopter pilot, for his question. We are advised that at approximately 10 past three Australian Eastern Standard Time yesterday an Army Black Hawk helicopter crashed whilst attempting to land on HMAS Kanimbla and was lost into the sea. At the time of the crash, the helicopter was conducting a routine training flight approximately 150 nautical miles west-south-west of Suva, Fiji. There were 10 Army personnel onboard, including two pilots, two loadmasters and six members of the special armed services.

Nine of these people were recovered. One of the people recovered later died as a result of injuries, while being treated by specialist medical staff on board HMAS Kanimbla. One person remains missing. The search has included multiple rigid-hold inflatable boats and HMAS Newcastle’s Seahawk helicopter with infra-red sensors to aid detection at night. An RAAF AP-3C maritime patrol aircraft will join the search effort today and we will continue to search until all avenues have been exhausted.

The deceased and seven of those involved in the accident have been transferred to HMAS Newcastle and will be moved to Noumea, from where they will be repatriated to Australia via an RAAF C130 Hercules, which will return to Australia late tomorrow. One of the people involved in the accident will remain on board Kanimbla and has returned to duty.

The cause of the accident remains unknown. Defence has commenced an investigation which includes the deployment of a specialist accident investigation team to embark in HMAS Newcastle upon its arrival in Noumea. The names of the deceased pilot and the missing SAS trooper have not been released by the Chief of the Defence Force at this stage at the specific request of the families. I ask the media to respect the wishes of those families.

It is important to remember why our defence personnel were there. They were doing what they always do on our behalf. They were there to support and protect Australians, should Australians require that protection and assistance over the next few days or weeks, should there be upheaval in Fiji. The
operation will continue. The men and women on Kanimbla and on Newcastle will remain at their posts. It is extremely important that our naval vessels and our defence men and women remain on standby should Australians require it. That is what they were doing and that is what they will continue to do, as they have always done in the finest traditions of the Australian Defence Force.

Workplace Relations

Mr STEPHEN SMITH (2.09 pm)—My question is to the Minister for Employment and Workplace Relations. Minister, is it not the case that the Office of the Employment Advocate has officially advised employees of Aboriginal Hostels Ltd, in a letter dated 6 October:

Employees wanted to know whether or not they could negotiate a new collective agreement with Aboriginal Hostels Limited instead of AWAs. The short answer is no. The employer decides what type of agreement they will use. The employer chooses what agreements they will offer and what they will negotiate.

Can the minister point out to the hundreds of thousands of Australians who marched against the government’s extreme and unfair industrial relations laws today where the choice is in that?

Mr ANDREWS—The first thing I will say to the member for Perth is that I will check the facts because every other time you come in here, mate, you mislead! We had the member for Perth in here yesterday misleading the parliament about the situation at the Commonwealth Bank. He was caught red-handed a few weeks ago in relation to electrical contractors here in Canberra. If there is anybody who has come in here more often and misled the parliament, I wonder who it could be.

Mr Costello interjecting—

Mr ANDREWS—Yes. It is a bit of a contest between the roosters as to who misleads this place the most. The first thing I say is that the member for Perth has now built a reputation in this place for simply not coming here and telling the whole truth, so I will check out the matter. The second thing is, and the member for Perth would know this—

Mr Albanese—Mr Speaker, I raise a point of order as to standing order 104.

The SPEAKER—The minister is answering the question and the minister is in order.

Mr ANDREWS—If the member for Perth were bothered to bone up on industrial relations 101, instead of wasting his time trying to prop up the Leader of the Opposition or making the silly excuses he did this morning as to why there were only 45,000 people at the MCG and not the 100,000 as claimed—and he said that was because they could not catch a train! I bet they will be able to catch a train to get to the Boxing Day test. I caught a train to get to the grand final. So enough of these silly excuses. The fact is, you have egg all over your face.

Workplace Relations

Mr NEVILLE (2.12 pm)—My question is addressed to the Acting Prime Minister and Minister for Transport and Regional Services. Would the Acting Prime Minister inform the House how industrial relations reform under the coalition government has strengthened our economy and boosted jobs in regional Australia? Would the Acting Prime Minister also advise us whether predictions about past reforms have proven to be correct?

Mr VAILE—I thank the member for Hinkler for his question. The member for Hinkler, representing a couple of very important ports in Queensland, would recognise that many of the predictions about previous reforms have been proven to be totally incorrect and that the reforms introduced by our government over the years, particularly with regard to the efficiency of ports, have cer-
tainly been achieved. I give the example of the waterfront reform that was undertaken by this government, which has significantly boosted the competitiveness and efficiency of our export industries and has seen crane rates in our container ports in 2006 go up to 27.7 movements per hour. In 1996 they were 16.9 movements per hour. Just as every other prediction by the Australian Labor Party and the union movement about reform in the workplace has been proven to be incorrect, they said this could not be done. They said you could not improve upon crane rates of 16.9 lifts per hour. Well, we have; that has taken place. The Australian Labor Party and the union movement have said in their scare campaign about Work Choices that this is about slashing wages, that it is about reducing levels of employment, that it is a green light for mass sackings—all the emotive lines that have been used in their scare campaign that continued today.

The reality is that unemployment in Australia has hit a record low of 4.6 per cent. In the last 10 years, 1.9 million new jobs have been created in the economy in Australia. In that period, real wages have increased by 16.5 per cent. Since Work Choices was introduced, 165,000 new jobs have been created in the marketplace. Interestingly, 62 per cent of areas in regional Australia now have unemployment levels of lower than five per cent. We all remember what unemployment was like in regional Australia under the administration of the last Labor government. The Labor Party and the union movement—the ACTU—will continue their scare campaign, but the working men and women of Australia recognise what has taken place in this country under the coalition government to improve their circumstances, living standards and the economy in Australia. They recognise that the most important point is the real wage increase over the last 10 years of 16.5 per cent, which is the very reason they believe that the coalition government is a true friend of Australia’s workers.

Workplace Relations

Mr BEAZLEY (2.16 pm)—My question to the Minister for Employment and Workplace Relations follows his claim, in the answer to the previous question asked of him, about the member for Perth misleading in the questions he asks in this place. On the subject of misleading, minister: where in this document of your election policy did you indicate what you intended to do on penalty rates? Where in this document did you indicate to the Australian people what you intended to do about unfair dismissals? Where in this document did you indicate what you intended to do about the status of the independent umpire? Where in this document did you state what you intended to do about people’s right to be appropriately represented by a union? Talk about misleading! Where in this serially misleading document did you tell the Australian people anything about the attacks you intended to make on their family life?

The SPEAKER—Before I call the minister, I would remind the Leader of the Opposition that he should address his questions through the chair.

Mr ANDREWS—The one thing that most disappoints the Leader of the Opposition is that his predictions have been proven totally wrong. This is the man who has waltzed around Australia for the last 12 or 18 months telling Australians that jobs would be destroyed as a result of Work Choices. What happened? He is wrong. Jobs have gone up. This is the man and the labour movement that has waltzed around Australia saying that Work Choices would be a green light—

Ms King interjecting—

The SPEAKER—Order! The member for Ballarat!
Mr ANDREWS—for slashing wages in Australia. Can I remind the House and the Leader of the Opposition of the thing that he said was not going to happen.

Ms King—What did you say?

The SPEAKER—The member for Ballarat is warned!

Mr ANDREWS—He said that the Fair Pay Commission was not going to increase wages; it was going to decrease wages. Can I remind him that tomorrow, 1 December, the Australian Fair Pay Commission will deliver a $27 increase in the weekly wages of the million lowest paid Australians. That is the outcome.

The SPEAKER—Has the minister completed his answer?

Mr Andrews—Yes.

Workplace Relations

Mr HENRY (2.19 pm)—My question is addressed to the Treasurer. Would the Treasurer outline to the House the benefits of reforming the nation’s workplace? How could this process be damaged by alternative proposals?

Mr COSTELLO—I thank the honourable member for Hasluck for his question. I can tell him that reforming industrial relations is one of the reasons unemployment is now at a 30-year low in Australia at 4.6 per cent. The ACTU had its big demonstrations against Work Choices today. According to Sharan Burrow, there were 60,000 at the MCG. According to Billy Shorten, there were slightly above 50,000 at the MCG. According to the ABC, there were 40,000 at the MCG. The member for Lilley went on Charles Wooley’s program and claimed: ‘There aren’t many occasions in Australian history where a political meeting has 70,000, 80,000 or 90,000 people as they had in Melbourne.’

The lesson to draw from that is: never trust an estimation of the numbers from the member for Lilley. That is my advice to the Leader of the Opposition: never trust an estimation of numbers from the member for Lilley. I have been to a few grand finals in my time at the MCG. Let me tell you, this was no Essendon-Collingwood match. This was no Anzac Day crowd; this was a VFA turnout. The excuses are now coming: ‘The trains were off, so we couldn’t get a train’ or, as Greg Combet said, people were afraid of repercussions. Let me tell you, lots of people had lots of reasons not to be there. Former ACTU president Bob Hawke was not there. That is because he is in France hunting French deer with the hounds. According to *Country Life* magazine:

At this year’s meet in the oak forests of Champlevois in the Loire, the crossroads were named after Mr Hawke and he made an acceptance speech surrounded by the hounds.

It is a great country, this! You can start off as a working-class hero and finish your days hunting with the hounds in the Loire Valley, as many of those at the MCG did.

Here is the figure to get in your minds: since Work Choices came into effect, 165,000 new jobs have been created in Australia. Get this figure in your mind: since Work Choices came into effect, four times the crowd at the MCG has been created in new jobs. That is 165,000 new jobs. Four times the number that rolled out at the MCG today have found work as a consequence of Work Choices. The truth of the matter is that today was a political stunt. It flopped. Today will not interrupt the creation of new jobs. Today we continue with economic reform in Australia.

Workplace Relations

Ms PLIBERSEK (2.22 pm)—My question is to the Minister for Employment and Workplace Relations. I refer to his extreme ‘No Choice’ workplace laws. How does the minister reconcile his personal beliefs and
family values with the fact that these laws make it impossible for families to plan to spend time together?

Mr ANDREWS—If that is the best they can come up with, they are getting pretty desperate! What families today want is to have flexibility in their working arrangements. That is what families want. Yesterday the member for Perth and the Leader of the Opposition paraded the example of the Commonwealth Bank. The Commonwealth Bank, as part of these changes, are able to provide more flexibility in employment. They are trying to employ people on weekends. They have 700 places available. Do you know how many people have applied for those 700 jobs which involve work on a Saturday morning when the banks will be open, which will be more family friendly as well? Two thousand three hundred people have applied for those 700 jobs.

The contrast here is very stark. The contrast is between providing flexibility that employees want in the workplace and the inflexible, rigid system—the one-size-fits-all system—which the Labor Party want to take us back to in Australia. The reality is that Australian workers and their families are voting with their feet and they have rejected your proposition.

Workplace Relations

Mr CAMERON THOMPSON (2.24 pm)—My question is to the Minister for Employment and Workplace Relations. Could the minister update the House on how the government’s workplace relations reforms are benefiting Australian families? Is the minister aware of any alternative views?

Ms Macklin interjecting—

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

Mr ANDREWS—I thank the member for Blair for his question. The changes put in place since 27 March have led to very significant benefits for Australians, Australian workers and Australian families. We have seen jobs growth, wages growth, record low industrial disputation, record low retrenchments in Australia, a 20-year long-term unemployment rate low and strong productivity growth.

Let me take a little bit of the economic data about what has happened in the last six to eight months in Australia. For example, as the Treasurer has said, 165,000 Australians are in new jobs since 27 March this year, and 129,000 of those jobs are full-time jobs. But let me give you the significance of that historically. The job creation average for the last 20 years was just 70,000 jobs, and yet we have seen 165,000 jobs created since Work Choices was introduced this year. There is a 30-year unemployment low of 4.6 per cent.

We have wages continuing to grow. As I said earlier, tomorrow the lowest paid workers in Australia—one million of them—will get something which the Leader of the Opposition, the Labor Party and the labour movement said would not happen, because they said this was about driving down wages. Tomorrow, the one million lowest paid Australian workers will get a $27 increase in their pay packet. That is good news for Australian workers; it is something which the Labor Party said was not going to happen.

We have the lowest levels of industrial disputes on record—and records in one form or another go back to before Gallipoli.

What did the Leader of the Opposition say? He said that the changes would lead to a situation where employers and employees would be at each other’s throats. Indeed, the contrary has occurred. We have a record low number of job retrenchments—the lowest for two decades in Australia—and long-term unemployed figures are also at 20-year lows.
When you cut away the rhetoric of the opposition and the labour movement about this and look not just at the anecdotal evidence but at the official ABS data about what has happened in Australia, all of that data points to benefits for Australian workers and their families as a result of these changes. Yet we still have the Leader of the Opposition maintaining this scare campaign down there at the MCG today, saying he is going to rip up changes that bring advantages for Australians into the future. All of his predictions have been proven false over the last six to eight months since Work Choices came into place.

Why does he want to do this? Because, in contrast to us—we are concerned about the national interest and how we continue to grow this country—the Leader of the Opposition is only interested in vested interests. He is only interested in his job, rather than jobs for all Australians. He is bitterly disappointed, I am sure, by the embarrassingly low turnout that they got at the MCG today. Look at all the excuses they are trying to make about why only half the number of people that they predicted were actually there. The reality is that these are changes which are good for Australia. This side of politics is prepared to make the decisions to ensure that Australia continues to grow. The only interest the other side has is: who is the Leader of the Opposition?

Workplace Relations

Mr BEAZLEY (2.29 pm)—The one thing I predicted about this law is that it would be like an infestation of termites. Let us have a look at this infestation. My question is to the Minister for Employment and Workplace Relations and it follows the question he was just asked about the impact of the law on family life. I refer to an Australian workplace agreement offered by confectionery manufacturer Australian Sweets to its employees which provides for work at any hour of the day on any day of the week without compensation for inconvenient hours. Why do you arrogantly ignore hundreds of thousands of Australians who told you today that AWAs like this one ruin their family life?

Mr ANDREWS—One thing that has become clear over the last few months is that, when the opposition has come in here and made claims about some particular agreement, those claims, when investigated, have not stood up. I do not accept for one moment any allegation or assertion made by the Leader of the Opposition. Yesterday he was in here making assertions about a Commonwealth Bank agreement which were totally untrue. A month ago we had the member for Perth in here making allegations about electrical contractors and electrical workers in Canberra which were proven to be totally untrue. You have no reputation with regard to this at all. If the Leader of the Opposition or the member for Perth wants to come in here and wave pages and pieces of paper around, I suggest they start with the Australian newspaper, in which their colleagues regarded the member for Perth as a ‘dud’.

Honourable members interjecting—

The SPEAKER—Order! Members are holding up their own question time.

National Day of Action

Mr BARTLETT (2.31 pm)—My question is addressed to the Minister for Education, Science and Training. Is the minister aware that unions across the nation have been urging teachers to go on strike today? What is the government’s response and how will this strike impact on school students?

Ms JULIE BISHOP—I thank the member for Macquarie for his question and I note his deep concern and interest in this matter. I can confirm for the member for Macquarie that the ACTU did indeed hold a national strike today, and that included a number of
school teachers. I am concerned that this will impact on students, who will suffer as a result of the fact that teachers skipped school to attend this strike.

Ms Hoare interjecting—
Ms JULIE BISHOP—I would suggest to state government school teachers that, instead of striking—

Ms Hoare interjecting—
The SPEAKER—Order! The member for Charlton is warned!

Ms JULIE BISHOP—against the federal government’s Work Choices legislation, they call upon their employers—the state Labor governments—to improve their pay and their conditions.

The Howard government believe that better performing teachers should receive higher pay. We believe that rewards should be given to teachers who achieve measured improvements in student achievements. Currently, teachers are generally paid according to the number of years in the job, so it is in accordance with the years that they have been serving time as a teacher; it has nothing to do with student achievement.

Does this have consequences? Yes, it does. A principal in a primary school in the member for Jagajaga’s electorate, Bellfield primary, made radical improvements over a number of years to student achievements in literacy and numeracy. He did this by making teachers accountable for student outcomes. He was paid not one cent more than the timeservers, so the consequence is that he has moved out of the public education system. This is the consequence of state Labor governments failing to appropriately recognise the role that teachers play.

I would suggest that the state Labor governments link teacher pay to performance so that student outcomes are taken into account. This would mean better standards in all of our schools. The trouble is that state Labor governments are unable to reward high-performing teachers. They are unable to link pay to student achievement because they are captive to the teachers unions, who put their own interests above the welfare of their students.

Workplace Relations
Mr STEPHEN SMITH (2.34 pm)—My question is to the Minister for Employment and Workplace Relations, and I again refer to the AWA offered by Australian Sweets to its employees. Isn’t it the case that this AWA provides for work at any hour of the day on any day of the week, abolishes all overtime payments, abolishes weekend penalty rates and abolishes annual leave loadings? Minister, why do you arrogantly ignore hundreds of thousands of Australians who told you today that AWAs like this unfairly strip away their conditions and entitlements?

Mr ANDREWS—If the member for Perth did any study of industrial laws he would know that an existing employee cannot be forced onto a different sort of agreement. That is in the law, and it is protected in the law.

Mr Stephen Smith interjecting—
Mr ANDREWS—You keep waving that around, Member for Perth; let me wave around something that might be relevant. The Australian today said:
Several Labor MPs told The Australian last night Mr Smith’s actions were “appalling” and he was a “dud”—

Mr Albanese—Mr Speaker, I rise on a point of order.

The SPEAKER—Has the minister completed his answer?

Mr Andrews—Yes.

Foreign Affairs
Miss JACKIE KELLY (2.36 pm)—My question is to the Minister for Foreign Af-
fairs. Would the minister inform the House about the NATO summit held in Riga overnight and the implications for Australian forces in Afghanistan?

Mr DOWNER—I thank the honourable member for Lindsay for her interest in this important event. As she said in her question, the NATO leaders met in Riga in Latvia last night. During that meeting, which normally is not something Australia would focus on, there were two particular issues and outcomes which were, in my view, very favourable to Australia. The first was that this meeting considered the proposal promoted by the Secretary-General of NATO, Jaap de Hoop Scheffer, that a contact group of like-minded countries that can work with NATO in different operations outside of the transatlantic sphere should be established. The NATO summit decided to proceed with that proposal. In that contact group is Australia; it will also include countries like Japan, South Korea and New Zealand.

This is an important development because, when consideration is given to the great global struggles that we all have to confront, it is important that the Western alliance and Western interests are understood to mean more than just transatlantic interests and the transatlantic alliance. It is important in that context to understand the importance of Japan, South Korea, Australia, New Zealand and other countries in the broad international effort against, for example, terrorism. The fact that Australian troops participate in Afghanistan with NATO—indeed, working side by side with a NATO country, the Netherlands—is an illustration of that point. So I am delighted to see this relationship with NATO move forward. It was something that was discussed at some length during my visit to the North Atlantic Council earlier this year.

Secondly, and very importantly—and this was also an issue discussed during my meeting with the North Atlantic Council recently—some of the caveats which limit the activities of some of the NATO forces in Afghanistan have been, if not removed, certainly reduced. This is important because there are a number of countries, and importantly Australia is one, which have troops in southern Afghanistan. Other countries which participate in Afghanistan under the umbrella of NATO have caveats on their troops not moving into the southern part of the country and other restrictions over and above that. This was an issue that I raised during the North Atlantic Council meeting earlier this year that I referred to because, if those caveats are lifted, that obviously means that there are foreign forces that can provide more support for Australia, as well as countries like Canada, the Netherlands, the UK and obviously America, than would otherwise be the case.

We do not have the full details on the progress that has been made, but we know some progress has been made, and I am delighted that the NATO summit has had that degree of success. I also note that the Dutch Prime Minister, Mr Balkenende, in his speech to the summit specifically acknowledged the contribution of ‘courageous non-NATO allies like Australia’. I appreciate very much the sentiment that was expressed by that fine Prime Minister of the Netherlands.

Workplace Relations

Mr MURPHY (2.40 pm)—My question is to the Minister for Employment and Workplace Relations. I again refer to the Australian Sweets AWA. Minister, isn’t it the case that this AWA provides a base rate of pay of only $530.45 per week, a cut of $36.55 per week against the relevant state award? Why do you arrogantly ignore hundreds of thousands of Australians who told
you today that AWAs like this cut their take-home pay?

Mr ANDREWS—I thank the honourable gentleman for his question. The reality is that people under these changes are better off. That is the reality.

Opposition members interjecting—

Mr ANDREWS—Look at the comparison between AWAs and awards. On average, people on AWAs receive 100 per cent more than those on the relevant award. That is what the data shows in relation to AWAs. We have something like 700,000 people in Australia who are currently on AWAs and more than one million AWAs have been entered into since they came into operation. The reality is that this provides flexibility and incentives for many workers and their families. A person working on an AWA is much more likely to be rewarded for extra performance than somebody on a collective agreement, let alone somebody on an award. That is the reality of the workplace in Australia today. As I said to the member for Perth, we will have a look at this AWA, but I do not take on the say-so of the member for Perth what is in any particular document, because he has been shown to be wrong on so many occasions.

Medicare

Mr RICHARDSON (2.42 pm)—My question is addressed to the Minister for Health and Ageing. Would the minister provide a progress report on ‘Strengthening Medicare’, particularly the benefits provided under the safety net? Is the minister aware of any alternative policies?

Mr ABBOTT—While members opposite are trying to turn back the tide of economic freedom, this government is getting on with advancing the long-term best interests of our nation. Let me thank the member for Kingston for his question, and let me note a fact which I know pleases him greatly, which is that the GP bulk-billing rate in his electorate has increased by more than 14 percentage points since ‘Strengthening Medicare’ began. Since ‘Strengthening Medicare’ began, there has been a 10 percentage point increase in the GP bulk-billing rate right around Australia so that more than three-quarters of all GP consultations are now bulk-billed. Thanks to the policies of the Howard government, bulk-billing in New South Wales is up seven percentage points; in Western Australia it is up nine percentage points; in Victoria it is up 10 percentage points; in Queensland it is up 13 percentage points; in South Australia it is up 15 percentage points; and, in the great state of Tasmania the GP bulk-billing rate is up by more than 21 percentage points. That is thanks to the policies of the Howard government.

The government are not just on about greater access to bulk-billing doctors. We want to help people who do not get their medical services for free, and that is what we are doing with the Howard government’s Medicare safety net, which this year will help 1½ million Australians. Last year, it helped nearly 7,000 people in the electorate of Kingston. By abolishing the safety net, Labor wants to pick people’s pockets as they are leaving Medicare offices.

I have been asked about alternative policy. The Australian Labor Party used to have a policy, Medicare Gold, which was all about robbing younger Australians to reward older Australians. Now their only policy is to abolish the Medicare safety net. That means ripping off about $200 million a year from the people who most need that money. The member for Lalor’s only recent contribution to health policy was to demand about three weeks ago the immediate funding of Gardasil. That would not have brought forward a single inoculation. It would have cost taxpayers hundreds of millions of dollars and it would have destroyed the integrity and the
credibility of the Pharmaceutical Benefits Advisory Committee.

I say to the Leader of the Opposition: do not let your fear of the member for Lalor stop the urgent development of a health policy. Mr Speaker, you do have to feel a bit sorry for the Leader of the Opposition at the moment. Fifty per cent of Australians would prefer a different leadership team and it is not because the member for Lalor and the member for Griffith are any good. The problem that the Leader of the Opposition faces is that he is beset by ambitious careerists who will neither mount a challenge nor rule one out. I say to the Leader of the Opposition: if you cannot run a credible opposition you could never run an effective government of this country.

Workplace Relations

Mr BEAZLEY (2.46 pm)—My question is to the Minister for Employment and Workplace Relations. Is it the case that Mr Peter Corish is one of his government’s national water commissioners, President of the Agriculture and Food Policy Reference Group and a rumoured National Party candidate at the next federal election? Is it the case that the Australian workplace agreement offered by Mr Peter Corish to a farmhand to work at his Mundine property has resulted in the farmhand being paid only $13 per hour? Is it also the case that the OWS has been forced to investigate alleged underpayments of $71,000 to the farmhand?

Mr ANDREWS—In answer to the Leader of the Opposition’s question, I am advised that the Office of Workplace Services is investigating Corish Farms Pty Ltd in relation to some claims that were in the press. So there is an investigation by the Office of Workplace Services. The Leader of the Opposition referred to an investigation by the Office of Workplace Services. This is the very office that he wants to abolish.

Ms Gillard interjecting—

The SPEAKER—Order! The member for Lalor!

Mr ANDREWS—It is an office which has recovered more than $30 million in underpaid wages for the workers of Australia and the Leader of the Opposition wants to abolish this office. Worse than that, the officials of the Office of Workplace Services—

Ms Gillard—It was your mate that underpaid them!

The SPEAKER—The member for Lalor is warned!

Mr ANDREWS—were the very people that the Leader of the Opposition stood at that dispatch box in here and called ‘sniveling little liars’. That is what the Leader of the Opposition said about the Office of Workplace Services. The Office of Workplace Services is doing a good job for Australian workers. Why in the hell would the Leader of the Opposition want to abolish a body which serves Australian workers?

Fiji

Mr JULL (2.48 pm)—My question is directed to the Minister for Foreign Affairs. Following the action of the military overnight, what is the present state of play in Fiji?

Mr DOWNER—I thank the honourable member for Fadden for his question and his interest. I begin by joining with the Acting Prime Minister in expressing my condolences to the families of those affected by the Black Hawk helicopter crash on HMAS Kanimbla. It is important to say that the accident itself was not directly related to the trouble in Fiji except in that the soldiers were deployed to the region in case they were needed to assist fellow Australians.

Last night the Fiji military conducted what they described as an ‘exercise’ in Suva, and soldiers secured parts of the city and fired
illumination rounds into the sea. The Fiji military say that this was in order to deter any foreign intervention in Fiji. They may claim that their exercise was successful; nevertheless, to the best of my knowledge there were no plans by any foreign power to intervene in any way at all in Fiji. So I think more realistically the exercise could be described as superfluous.

We continue to work with other countries in the region—and I particularly acknowledge New Zealand here—in order to discourage any illegal action and unconstitutional action by the Fiji military in relation to the government. As the House knows, there were discussions in New Zealand yesterday between the military commander and the Fiji Prime Minister; they are now both back in Fiji. They will be resuming discussions, we believe, and we very much hope that, through a process of discussion, the constitution will be upheld, the law will be upheld and the Fiji government will be able to continue to govern according to the democratic principles embraced by that country.

Tomorrow I will be participating in a meeting of Pacific Island Forum foreign affairs ministers, which will be chaired by the Papua New Guinea foreign minister. Papua New Guinea is the immediate past chair of the forum and Fiji is currently the chair of the forum, so obviously it would not be appropriate for Fiji to chair the meeting in these circumstances. So we all agree that it will be best for the former chair to take the chair on this occasion. I hope this will be a very useful opportunity for all foreign affairs ministers participating in the meeting to provide their support for the rule of law and constitutional processes.

That is important, of course, for Fiji first and foremost but, secondly, it is important for the reputation of the whole of the Pacific. If the Pacific is to have a reputation for instability and unconstitutional behaviour, including by the military, then that damages the whole region and not just Fiji. So I think this is likely to be a constructive meeting and another contribution that can be made to supporting a peaceful and sensible outcome to the differences that people in Fiji might have.

Workplace Relations

Mr BEAZLEY (2.52 pm)—My question is to the Minister for Employment and Workplace Relations. If, as the minister asserts to the House today, his laws make Australians better off, can he now guarantee that no individual Australian worker will be worse off as a result of these laws?

Mr ANDREWS—Dear me, if that is the best he can do. The 165,000 Australians who have got jobs in the last eight months are certainly better off. Under the Leader of the Opposition, when he was last responsible for employment in this country, the unemployment rate was in double digits.

Mr Beazley—Mr Speaker, I rise on a point of order. I asked about one thing only and that was that guarantee.

The SPEAKER—I have not even called the Leader of the Opposition. Does the Leader of the Opposition have a point of order?

Mr Beazley—Yes. My point of order goes to relevance.

The SPEAKER—The minister is certainly in order. He was asked a question about being better or worse off. I believe he is answering the question.

Mr ANDREWS—In terms of any guarantee, the Australian people look at the record of political parties. Let us look at the contrast between the political parties. When the Leader of the Opposition was last the minister for employment, it is interesting—
Mr Albanese—Mr Speaker, I rise on a point of order. Pursuant to standing order 104, the question was very simple and asked for a guarantee that no individual worker will be worse off. It was very simple, Mr Speaker.

The SPEAKER—The member for Grayndler will resume his seat. The minister is answering the question.

Mr Andrews—When the Leader of the Opposition was last responsible for employment—

Ms Kate Ellis—So that’s a no!

The SPEAKER—The member for Adelaide is warned!

Mr Andrews—It is interesting that, even when he asked the question of me, he could not use the word ‘employment’—and why? Because, when he was last responsible for employment—or, indeed, unemployment—in Australia, he said that this was the job he had the least interest in and it was a job that he gave up on. That is the record of this weak Leader of the Opposition. I tell you what cannot be guaranteed: who will be the Leader of the Opposition next week.

Drought

Mrs Mirabella (2.55 pm)—My question is addressed to the Minister for Human Services. Would the minister inform the House how service delivery by his department is helping those affected by drought in regional and rural Australia?

Mr Hockey—I thank the member for Indi for her question. It was only a few weeks ago that my colleague the Minister for Agriculture, Fisheries and Forestry was able to launch the first Australian government drought bus—and that has been well received out in the bush. It is very important that we get essential services that are provided through Centrelink and Medicare out to communities that do not have ready access to those sorts of services.

In the case of the worst drought in 100 years, it must be recognised that it is very hard for some farmers who have never accessed welfare to walk into a Centrelink office; it can be extremely dispiriting. It is vitally important that we be prepared to make a contribution to their welfare during the worst drought in 100 years by taking services out to them—to go and visit those towns that do not have Centrelink offices or Medicare offices; to go to those places with social workers, with advisers to help them get exceptional circumstances certificates on the spot that allow them to get some money in the bank at a time when they are unable to sell their crops or have to slaughter their sheep in some cases for 25c each. If I were the member for Wills, I would not be joking about this. It is a very serious issue.

Mr Kelvin Thomson—I’m not joking; it is a serious issue.

Mr Hockey—The Australian government has committed an additional $1 billion for drought this year, over and above the $1.2 billion that we had committed. I was very pleased to announce with a number of my colleagues today that we are launching a further two drought buses. Drought buses allow us to extend services into Queensland, into the member for Maranoa’s electorate and, importantly, into the member for Indi’s electorate, covering towns such as Wangaratta and Benalla. It is also vitally important to recognise that these services have to go out to these communities during the summer, at a time when Christmas pressures could have a severe impact.

We are now covering—and I am happy to table this document—almost the entire south-eastern seaboard of Australia, covering southern Queensland, New South Wales, Victoria and South Australia, and the elector-
ates of Riverina, Farrer, Indi, Murray, Mallee, Bendigo, McEwen, Gippsland, Eden-Monaro, Calare, Parkes, Gwydir, New England, Groom, Maranoa and Grey. Mr Speaker, if you want a telling indication—and for some people in the city it is very hard to understand the real impact of the drought—in the member for Hume’s electorate is the little town of Gunning. In the 1950s and 1960s, Gunning was the fine-wool centre of Australia. As a young boy, I spent a lot of time out at Gunning. Mr Speaker, I can tell you that everyone in Australia has to work hard to ensure that these sorts of towns, which kept Australia going during the 1950s and 1960s, are not forgotten in 2006 and 2007 during the worst drought in 100 years.

Swan Electorate: Education

Mr WILKIE (2.59 pm)—My question is to the Minister for Education, Science and Training. Did the minister sanction or approve the release of unpublished information on forthcoming grants under the Investing in Our Schools program for schools in the federal seat of Swan to the Liberal candidate for Swan in advance of notification to the member, in this case me?

Ms JULIE BISHOP—Mr Speaker—Honourable members interjecting—

The SPEAKER—Order! The minister will resume her seat. The member for Swan has asked a question. The minister is going to answer it. The minister will be heard.

Ms JULIE BISHOP—This is a typically self-indulgent question by an opposition member who is more interested in self-promotion than the education of young students in his electorate.

Honourable members interjecting—

The SPEAKER—Order! The minister will resume her seat. I call the minister. I will take action—

Mr Beazley interjecting—

Mr Abbott—Mr Speaker, the Leader of the Opposition has made an offensive suggestion and he should withdraw it.

The SPEAKER—I did not hear it. I call the Leader of the Opposition.

Mr Beazley—I would like to get your adjudication on this, because I think it is fair enough, actually. What I said was, ‘Actually, it’s about corruption.’ That is what I said. The question was asked about announcing public funds through candidates as opposed to through members of parliament in the normal way.

The SPEAKER—The Leader of the Opposition will be well aware that that is unparliamentary language—

Mr Beazley—Do you want that withdrawn?

The SPEAKER—and I call upon him to withdraw it.

Mr Beazley—If you want that withdrawn, then I withdraw it.

The SPEAKER—I thank the Leader of the Opposition. I call the minister.

Ms George—It is disgraceful behaviour.

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

The member for Throsby then left the chamber.

The SPEAKER—The member for Swan has asked a serious question. I call the minister.

Ms JULIE BISHOP—The results of the Investing in Our Schools program are advised by letter—

Mr Ripoll—You did it in Oxley, because one of the schools told me.

The SPEAKER—Order! The member for Oxley is warned!
Ms JULIE BISHOP—The results of the Investing in Our Schools program are advised by letter to each member, to each senator, to each school principal—and to each state education minister, and the results are placed on the department’s website.

Honourable members interjecting—

The SPEAKER—Order! The minister will resume her seat. I issue a general warning!

Ms JULIE BISHOP—and to each state education minister, and the results are placed on the department’s website.

Ms King interjecting—

The SPEAKER—Order! The minister will resume her seat. I issue a general warning!

Mr Wilkie—Mr Speaker, I seek leave to table correspondence received in my office from the Parliamentary Secretary to the Minister for Education, Science and Training, dated 27 November, which was received in my office almost one week after the Liberal candidate had been advising people in my electorate about their grant applications.

Leave granted.

Dr Nelson interjecting—

The SPEAKER—I remind all members that a general warning has been issued.

Mr Albanese—Mr Speaker, on a point of order: the member for Ballarat was dismissed from this chamber. The Minister for Defence did exactly the same as she did but he has received different treatment.

The SPEAKER—The member for Grayndler will not reflect on the chair.

Mr Albanese—I am asking you: you have issued a general warning; is it to both sides of the parliament or to one?

The SPEAKER—I remind the member for Grayndler that there have been interjections from both sides. I will take action.

Mr Albanese—Mr Speaker, you say you will take action. You did take action.

The SPEAKER—The member for Grayndler will resume his seat. I call the honourable member for Kooyong.

Centenary House

Mr GEORGIOU (3.05 pm)—Mr Speaker—

Mr Randall interjecting—

The SPEAKER—Order! The member for Kooyong will resume his seat. The member for Canning will remove himself under standing order 94(a).

The member for Canning then left the chamber.

Mr GEORGIOU—My question is addressed to the Special Minister of State. Has the minister seen media reports about Commonwealth leases on Centenary House in the Australian Capital Territory? Do these reports confirm the government’s claims that the Australian taxpayer has been ripped off by the Labor Party for more than 14 years?

Mr NAIRN—I thank the member for Kooyong for his question. In answer to the member for Kooyong, yes, I have seen reports about Commonwealth leases of Centenary House, and I took a great interest in those reports.

Mr Bowen interjecting—
The SPEAKER—Order! The member for Prospect will remove himself under standing order 94(a).

The member for Prospect then left the chamber.

Mr NAIRN—In fact, I took an interest because I remember speaking on this matter in 1992 or 1993, when I was President of the Country Liberal Party in the Northern Territory, and revealing the circumstances under which the Australian Labor Party negotiated the lease. In the early nineties the Australian Labor Party thought they would take advantage of incentives to locate headquarters in the ACT. They decided that they would build a building called Centenary House. The problem was that they did not have anybody to put in it, so they negotiated a lease with the then Keating government. It was a 15-year lease and a guaranteed income for that period of time. The interesting thing was that the rent that was negotiated was way over the top of market rents at the time, and it started before the building was even built. By the time the building was actually built but before anybody moved in, the rent had gone up even further.

The ratchet clause in the lease was a nine per cent increase per annum for 15 years. The nine per cent was applying even before the Audit Office, whom the Keating government negotiated with for the lease, moved into the building.

Mr McMullan interjecting—

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

The member for Gorton then left the chamber.

Mr NAIRN—We have a lease on behalf of the government, but effectively the taxpayer is currently paying $1,100 to $1,200 a square metre, and that does not include outgoings. By 2008, it will be $1,300 a square metre, which is more than what is paid in New York, London or Paris; it is more than the highest rents that you would find in the most expensive cities in the world. If you look at the market rate, you will see that the Australian Labor Party will have had a windfall—and this is over and above the actual market rent—of $42 million over that period of time. This is over and above what should have been paid for fair market rent. It is an average building in Canberra but $42 million was paid for it.

The lease will finally run out in 2008 because the Labor Party were embarrassed and sold off the building for a profit, which they obviously put into their campaign funds. They were very happy to disclose those campaign funds, I guess, coming from the taxpayer. A new lease starting in 2008 has been negotiated and it is for $385 a square metre. So the taxpayer will be paying $1,300 a square metre one week and the next week they will be paying $385 a square metre. It is a disgrace. This week we have had lectures from the Labor Party about contracts and morality. It is total hypocrisy on behalf of the Labor Party. They are the ones who have been immoral—

Mr Brendan O’Connor interjecting—

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

The member for Gorton then left the chamber.

Mr NAIRN—The people who have been immoral are the Australian Labor Party, fleecing $42 million from Australian taxpayers. They ought to give it back.

Mr VAILE—Mr Speaker, I ask that further questions be placed on the Notice Paper.
QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Workplace Relations

Mr ANDREWS (Menzies—Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service) (3.10 pm)—Mr Speaker, I seek the indulgence of the chair to add to an answer.

The SPEAKER—The minister may proceed.

Mr ANDREWS—I was asked a question by the member for Perth about a letter containing some advice from the Office of the Employment Advocate to Aboriginal Hostels Ltd. I am advised that an employee of the OEA did write to Aboriginal Hostels Ltd on 16 October, in which advice was provided with respect to the negotiation of a collective agreement. I am further advised that the OEA employee was not authorised to provide such advice, and subsequently the Deputy Employment Advocate wrote to Mr Keith Clarke, General Manager of Aboriginal Hostels Ltd, on 1 November informing him:

‘The OEA unconditionally withdraws the letter of 16 October and the contents of the advice should not be relied upon.’

Once again, the member for Perth has come in here and failed to disclose the full story. He did not tell the House that there was a subsequent follow-up letter from the Office of the Employment Advocate.

DOCUMENTS

Mr McGAURAN (Gippsland—Deputy Leader of the House) (3.11 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:


Queensland.

Debate (on motion by Ms Gillard) adjourned.

MATTERS OF PUBLIC IMPORTANCE

Workplace Relations

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

The impact of the Government’s attack on the wages and conditions of Australian workers.

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 BEAZLEY (Brand—Leader of the Opposition) (3.12 pm)—I was privileged this morning to attend a great statement of Australian democracy. It was refreshing to be able to stand with 50,000 to 60,000 of my fellow Australians against what the government is doing to ordinary Australian families. It was refreshing to see ordinary Australians standing up for their democratic rights, determined to protect and advance the interests and concerns of their families in the face of an indifferent government that over the last 10 years in office has gradually turned its back on the middle Australians whom it claims to represent.

It comes as a little bit of a surprise, but not too much of a surprise, when I come back to Canberra, to notice members of this tricky Howard government, who, with the exception of course of the Prime Minister, never venture outside this city or their own capital cities, deliberately understating the crowds around the nation protesting against these
extreme IR laws. These protests were taking place at some 300 sites.

Mr Downer interjecting—

The DEPUTY SPEAKER (Hon. IR Causley)—The Minister for Foreign Affairs should remember there is a blanket warning.

Mr BEAZLEY—It is just another dose of their usual born-to-rule, arrogant self-delusion. They hope against hope that the families of Middle Australia will forget about these wage-slashing laws by the next election. It did get me thinking, though, about how many people the Howard government would attract to a ‘Support Work Choices’ rally. I do not think that they would be hiring out the MCG. I do not think they would be ringing Telstra Stadium, in Sydney; the Gabba; the WACA; the Adelaide Oval; or the Rooty Hill RSL. I do not think they would be ringing any of those places.

Opposition members interjecting—

The DEPUTY SPEAKER—The member for Rankin will remove himself.

The member for Rankin then left the chamber.

Mr BEAZLEY—When I search through the list of venues around this country which might be suitable for an event such as the Support Work Choices rally, none of these great stadiums springs immediately to mind. Maybe the rec room at the Marble Bar caravan park, which holds about 50 people, would do. I can see it now: there would be the Minister for Employment and Workplace Relations, with a monkey suit on and not a hair out of place, standing in the kitchen, cutting up the cheese cubes and the cabana; the Prime Minister at the trestle table, setting up the plastic cups and the cask chardonnay—no Barnesy and Working Class Man but perhaps Peter Hendy on the karaoke machine, belting out Puttin’ on the Ritz. As the second hand ticks away on the clock on the wall, nobody comes through the front doors; Howard, Andrews and Hendy look on expectantly, pensively.

The DEPUTY SPEAKER—The Leader of the Opposition will address people by their titles.

Mr BEAZLEY—Their furrowed brows light up as they see the front door swing on its hinges, but it is just another blast of hot wind blowing through Marble Bar. Second after second, minute after minute, their hope turns to sadness, and the Prime Minister shuffles back to the trestle table and starts stacking the plastic cups, the workplace relations minister puts the gladwrap on the cheese and cabana and Hendy packs away the microphone and wheels the karaoke machine back into the storeroom—forlorn, sad men all on their own, but confident in the knowledge that they are there in company with everybody who agrees with them on their workplace relations legislation.

The simple fact of the matter is that the minister can, as he likes, and as he does along with his Prime Minister in this place, speak about their legislation from the point of view of their political propaganda and the argument they want to make. They can get up in this place and rant and rave. They may be confident that the bitter experiences that many Australians are having are not necessarily felt by those who are sitting in observation of them around this chamber and around some parts of this town. They may be confident about that, but the simple fact is, Mr Minister and Mr Deputy Speaker, that there are now thousands of Australians who understand exactly what those AWAs mean. They understand exactly that there is no truth in the sort of defence mounted here by the Prime Minister and the minister.

For example, the other day they got up to talk about the Commonwealth Bank AWA and said, ‘These workers have a choice.
They can choose between their collective agreement and their AWA. The propaganda point, for those who are ignorant, is of course the assumption that the choice is between apples and apples—that is, dealing with the same issues. In fact the choice is of an agreement now five years out of date—which in the normal course of events, when we had a fair industrial relations system, would be open for renegotiation now—that is, to stick with the position you had in 2002 or to choose what is now being presented in this AWA, which rips away every one of your hard-fought benefits which makes family life doable.

This is the experience of Australians who know and understand that this government is not telling them the truth. The reason they know and understand is not that they make a detailed study of this issue, not that they go to the government’s website and make a sound judgement after they have balanced that with what might be said on the ACTU website; it is that they live it and experience it. It is their day-to-day lives that are affected. It is they who have to handle the consequences of the loss of penalty rates. It is they who have to make the economic calculations in relation to their ability to pay their mortgages. It is they, as they see their kids go out and pick up their first job and find themselves confronted with extraordinary hours in relation to their AWAs, who have to wonder whether their 16- or 17-year-old girl is going to get home safely, because she has no alternative other than to take up that job if she wants to get a start in life. They have to worry about the safety of their children. They have to worry about the financial viability of their families.

They can hear all the blah that the Prime Minister wants to deliver and all the blah his minister wants to deliver about this or that really being better, but they know and understand exactly why these clever people opposite can never give a straight answer to the question asked on this side of the House: can you guarantee that these AWAs do not make people worse off? Day in, day out—no guarantee. There is plenty of mockery, plenty of flicking around of newspaper articles and plenty of blowhardery, but no guarantee. It does not matter what insults are delivered to people on this side of the House, we will deal with them during the course of the next election campaign. It is turning their back on Middle Australian families, something that the Australian people never expected from this Prime Minister, which has surprised and hurt so many and is causing so many of them to regret the vote they gave the Prime Minister.

This booklet is the Howard government policy on industrial relations from the 2004 election. It is not a short policy. It goes on at some considerable length—in fact it is something like 19 pages, which in the course of getting across a particular point of view to the Australian public is as comprehensive as you are ever likely to get. In this policy there is not a word that indicates what the government intended to do about penalty rates, and there is not a word about the removal of the no disadvantage clause from the AWAs that existed then. There is not a word about the hours arrangements which have been made possible in relation to the laws that this government has put in place. There is not a word in this document about the point at which unfair dismissals and the removal of rights associated with them cut in.

There is not a word in that document about weakening the powers in the hands of the industrial umpire in relation to the IRC. There is not a word in that document that says that, in that multiplicity of industrial agreements, the provisions relating to safety training for workers happen to have some degree of connection with union based safety training arrangements—which, in fact, hap-
pen to be most of the safety training arrangements in this country. There is not a word about the fact that, if they were incorporated within an agreement, a fine would result for both the union and the employer. There is nothing of that in that document. The Australian people were profoundly misled on something that was going to have a massive effect on their position.

The Prime Minister said that he would govern for all Australians and not simply for his mates. The Prime Minister misled the Australian people profoundly on that, and they are beginning to understand that. Not only were there 50,000 to 60,000 people at the MCG today but that rally was broadcast to hundreds of thousands of Australian families, all fighting for Australian values at work—many of them in that sacred piece of territory, the ‘G’, and many of them in other places. Some were long-term Liberal voters. Indeed we heard from one or two long-term Liberal voters who explained what had happened to them with their AWAs. They were there fighting for Australian values, in particular that fundamental Australian value of a fair day’s work for a fair day’s pay.

Australians were doing it in 300 sites. They were doing it in Busselton to Broome, Wollongong to Wagga Wagga, Toowoomba to Townsville, Queenstown to George Town and Bordertown to Roxby Downs—in every state, every territory, every city and almost every big town and regional centre in Australia. Working families are waking up to what these laws will do to their lives. They are asking the Prime Minister to think about their families instead of his ideology. But he will not; he is not interested. The power has gone to his head. This Prime Minister believes he can get away with anything. He believes that he can do what he likes with the Australian people.

We saw another example of that in question time today. It is extraordinary: the government now doles out taxpayers’ money, not Liberal Party money, through Liberal Party candidates at election time. In other countries this is called money politics. In other countries this is called policy corruption and requires examination by an appropriate audit process. Where it occurs in the South Pacific, it is the subject of ministerial and prime ministerial interventions and arguments. When you go to a number of South Pacific countries, what do you say to them? You say this to them: you must not hand out all the aid money that we give to you as the personal plaything of individual members of parliament because that is corrupt. We say to Papua New Guineans and others that it has to be dispensed by a dispassionate process. Good heavens! Exactly the behaviour that is protested against by our ministers when they visit the region around us is in fact routinely practised in this place now by an arrogant, out-of-touch Howard government.

We on this side of the House have never said that the sky would fall in with the government’s Work Choices legislation. We have never said that mass unemployment or sackings would result from it. We have always talked about a slow burn, a dismantling of people’s conditions piece by piece over time, and that is precisely what is happening now. That is the record of the material that we bring into this chamber and ask questions about, one AWA after another.

There has never been a greater contrast than exists now between the policies of our two political parties, with an absolute divide on industrial relations but in so many other areas as well—our nation-building program for broadband, their idea about selling off Telstra; our stake in Medibank Private, their bungled sell-off; our plan to train Australians, their importation of foreigners; our investment in infrastructure, their plans for
public servants’ super; our kick-start for innovation, their growing foreign debt; our childcare centres at local schools, their childcare shambles; our reforms of Aussie health, their blame-shifting and neglect; our cutting-edge fuel industries, their dependence on foreign oil; our plans for renewables and clean coal, their plans for nuclear reactors and nuclear waste; our plan to protect Australians from climate change, their plan to hope it goes away; our practical measures on terrorism, their war in Iraq; our collective bargaining, their AWAs. (Time expired)

Mr ANDREWS (Menzies—Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service) (3.28 pm)—What a sad, morose, deflated opposition we have here. Their only interest as far as jobs are concerned is who is going to have the job of Leader of the Opposition next week. That is what is going through their minds as they sit there. I have been in opposition when we went through these sorts of travails, and you can see it written all over the faces of the members of the opposition.

Mrs Irwin—You’ll be in opposition after the 2007 election!

The DEPUTY SPEAKER (Hon. IR Causley)—The member for Fowler will remove herself under standing order 94(a).

The member for Fowler then left the chamber.

Mr ANDREWS—We had this half-hearted performance today from the Leader of the Opposition. They do not support him but they do not support anybody else. That is the depth to which we have sunk as far as the Australian Labor Party are concerned here. Let us go to some of the data rather than to this overblown rhetoric that we got once again from the Leader of the Opposition. When you strip away that rhetoric, when you strip away all the exorbitant comments that were made, when you strip away this frenzied campaign that the labour movement is engaged in in Australia and when you strip away the lies, the distortions and the hysteria—when you strip all of that away—the reality today is that Work Choices is working. It is working for Australian workers and their families, it is working for Australian businesses and it is working for the economy.

I was amused to note that the Leader of the Opposition is now trying to rewrite his own history. He said just a few moments ago that he had not claimed the sky was going to fall in in Australia. Let us go to what claims were made. At a press conference on 10 October 2005, the Leader of the Opposition said:

This is about slashing wages; make absolutely no mistake about that.

You can hear him saying it in that overblown way—’No, this is about slashing wages—make no doubt about that whatsoever.’ Of course he was saying the sky was going to fall in in Australia. So let us look at the claims that were made and let us look at a time eight months after Work Choices was introduced—not according to what I say but according to what the ABS economic data shows as a result of Work Choices being introduced on 27 March of this year. The first claim, to quote one of the well-known union officials in Australia, was that Work Choices would be ‘a green light for mass sackings’.

Let us examine that claim. Since Work Choices was introduced, we have seen not mass sackings but the creation of 165,000 new jobs in Australia, of which 129,000 are full-time jobs. In the first six months alone, we saw an extremely significant increase in job growth in Australia. Let us put this in a historic context. The average job creation for the same six-month period after 27 March for the last 20 years in Australia was just 70,000 jobs. In other words, the long-term
20-year average job creation rate in Australia for the six-month period following the end of March was just over 70,000 jobs. Yet we have seen 165,000 new jobs created in this country since the end of March. A green light for mass sackings? Hardly!

We have an unemployment rate today in this country which stands at a 30-year low of 4.6 per cent. What were the unemployment figures when the Leader of the Opposition was the Minister for Employment, Education and Training—although probably more accurately described in those days as the ‘minister for unemployment’? There was double-digit unemployment in many parts of this country. It was the job the Leader of the Opposition said he was least interested in in his terms as a minister—the one he said he gave up having an interest in. Today we have a 4.6 per cent unemployment rate.

Mr Deputy Speaker, can I take you back to 1996, when the Workplace Relations Act was introduced in Australia. We had the same dire warnings about what would happen to the economy. We were told then that the sky was going to fall in. Yet since then we have seen 1.9 million jobs created in Australia. So the first claim that Work Choices is about mass sackings and that it would lead to greater unemployment in this country has been proved definitively and absolutely wrong—not according to what I say but according to the data from the Australian Bureau of Statistics.

The second claim is the one which the Leader of the Opposition now wants to run away from, saying, ‘I did not make these claims.’ But in October 2005 he did say: This is about slashing wages; make absolutely no mistake about that.

What do we see in Australia? Tomorrow, one million of the lowest paid workers in Australia will receive a $27 a week pay rise by virtue of the first decision of the Australian Fair Pay Commission—a Fair Pay Commission that the Leader of the Opposition has promised to rip up and abolish. Tomorrow the one million lowest paid award reliant employees in this country will get a record $27 increase in their pay packets as a result of the Fair Pay Commission. Is this slashing the wages of Australians?

Wages are growing at about four per cent in Australia at the present time. Since the Howard government came to office, wages have grown in real terms by over 16 per cent. How do those 10 or 11 years compare with the previous 13 years of the Labor government when Kim Beazley had the financial and employment levers in his hands as the responsible minister? Real wages under the Labor government went backwards in this country. Real wages went backwards for the ordinary workers of Australia under the government of which the Leader of the Opposition was a senior member; yet real wages have risen in the last 10 years by 16.4 per cent. The claim that this was about slashing the wages of Australians is proved again, according to the economic data from the ABS and other sources, to be absolutely false.

The Leader of the Opposition said that there is no productivity agenda here—this will hurt the Australian economy. The last release of data in relation to labour productivity shows that that productivity factor is growing by 2.2 per cent in Australia. So the claim that this is going to drive down productivity in Australia has been proved once again, on the official data, to be absolutely wrong.

Then we were told, again by the Leader of the Opposition, that these extreme changes risked dragging us back into an era of heightened industrial conflict. Do you remember the Leader of the Opposition saying that the workers and the bosses of Australia
would be at each other’s throats—there would be blood in the streets as a result of the Work Choices legislation coming into place? Let us look at the data again. Let us look at the record of what has occurred and let us go back to when Mr Beazley, the Leader of the Opposition, was the minister for employment in Australia. At that time the official measure of disputation and strikes—that is, the number of working dayslost per thousand employees—stood at 104 working days lost per thousand employees. I ask, rhetorically, what does the latest data show?

Kim Beazley said we would get an outbreak of strikes and industrial disputation. The latest ABS data for the June quarter of this year shows that we have just 3.1 working days lost per thousand employees in Australia. We have the lowest level of industrial disputation in this country since records have been kept—and those records go back before the time of Gallipoli. Records about industrial disputation in Australia have been kept, in one form or another, since 1913. We have the lowest level of industrial disputation in the history of record keeping in Australia. If you look also at what people are earning under this arrangement, you will see people on agreements are earning much more than people under the old award system. People on individual AWAs are earning something like 100 per cent more than the relevant award and 13 per cent more than the equivalent certified agreement.

The Leader of the Opposition cannot even come in here and get his story right when he makes these claims. In the last couple of days—and he repeated them in his contribution earlier—he was making claims about the Commonwealth Bank. What he and the member for Perth failed to disclose when they raised this matter in the parliament—things not being disclosed properly is a fairly common practice—is that the Commonwealth Bank has been offering individual AWAs since 1997, and 8,000 of some 35,000 employees are on individual AWAs and have been in many instances for years. In the certified agreement negotiated by the Financial Sector Union on behalf of Commonwealth Bank employees there is a clause which provides that the bank can offer individual AWAs and that they can be voluntarily taken up by employees. Commonwealth Bank employees obviously knew about and wanted to make use of the advantages of individual AWAs. But we hear nothing about this in the misleading claims brought into the House today.

Again, the Leader of the Opposition says that we have a 2002 certified agreement, but he has failed to disclose—and this is a common practice—that there has been a pay increase every year under that certified agreement from the Commonwealth Bank and that employees, whether new or existing, can make a choice between individual AWAs and certified agreements.

The Commonwealth Bank wants to provide more flexibility by meeting some of its competitors in the financial sector and by opening some Commonwealth Bank branches on a Saturday morning, which will no doubt be to the advantage of many families and individuals in Australia who would like to do some of their banking on a Saturday morning in person and not just at a hole in the wall. Seven hundred jobs are available in some 65 locations around Australia, and the Commonwealth Bank has had 2,300 applications from its employees to work on Saturday morning in those jobs. But, if the Leader of the Opposition had his way, absolutely none of this would occur. Whatever piece of economic data we like to take, the claims made in 1996 and again over the last 12 months by the Leader of the Opposition have proven to be absolutely wrong. The editorial of the Financial Review today says:
The band—
referring to the band at the MCG—
like the class-war rhetoric and ‘everybody out’ tactics, will be straight from the 1970s. Today’s union movement national day of protest against workplace reforms will generate a warm nostalgic glow in the bosoms of participating workers and supporters. But the vast majority of employees will continue on their merry way at work, oblivious to the retro fashions being paraded at the Melbourne Cricket Ground and other protest sites—

and that is the reality. That is the inconvenient truth for the opposition. The overwhelming majority of Australian workers were at work today. They told us that this was a rally to fill the G. I have been to the G a few times. It holds close to 100,000 people. According to the ABC report, they got 40,000 to 45,000 people at the G. This demonstrates the growing disconnect between what is happening for ordinary Australians and the scare campaign by the Leader of the Opposition. You have to ask: why would you engage in a campaign that is detrimental to prosperity in this country and detrimental to Australian workers and their families gaining the benefits over the last 10 years and the last six to eight months in particular under this legislation? The reality is that this is not about the jobs of Australians but about one job—that is, who sits in that seat opposite in the House of Representatives? The Leader of the Opposition is under attack and so he cavels in weekly to anybody who might threaten his position.

John Robertson of Unions New South Wales came out and threatened his leadership a few months ago. He turned up a day or so later at the New South Wales union conference saying that he will do what they want and that is rip up Australian workplace agreements. Greg Combet, the Secretary of the ACTU, said, ‘Wouldn’t it be good if we got back to where the unions ran the country again.’ They are doing that through Mr Beazley, whom they support in the ongoing role of leader.

Two of the gentlemen sitting opposite are the greatest supporters in here for Mr Beazley continuing this leadership because they know—perhaps all four of them know—that if there were a change of leadership their jobs would be in danger as well. It is interesting that this morning colleagues of those sitting opposite were talking to the newspapers, saying that their tactics were appalling, that the member for Perth was a dud and that they were going nowhere with this. Why is that? Because they are concentrating on one thing only—that is, who is the Leader of the Opposition? In the meantime, we will get on with the job of governing this country, of managing the economy, so that we can grow more jobs, so wages can continue to grow, so that the prosperity which we enjoy today in this country can be the prosperity which the children of this generation will enjoy into the future.

Mr STEPHEN SMITH (Perth) (3.43 pm)—The thesis articulated by the Minister for Employment and Workplace Relations has four essential points: firstly, that the government’s extreme and unfair industrial relations legislation is absolutely essential to our economic prosperity and indeed, from 27 March, is the cause of our economic prosperity; secondly, that there is not one problem in the government’s legislation that not one problem has adversely impacted upon an Australian employee, an Australian worker or an Australian family; thirdly, that anyone who makes a legitimate point about the adverse implications of this legislation and how it has adversely impacted upon real Australians out in their workplaces and with their families is engaging in shocking and terrible misleading; and, fourthly, that because Labor said on 28 March this year, when the legislation took effect, that the
Western world as we know it would stop and the sky would fall in, there is no problem that you need to worry about. Let us deal with each of those in turn—firstly, the government’s assertion that this legislation is absolutely essential to the economy and to our economic prosperity and, indeed, that every economic circumstance we have seen since 27 March this year is a direct consequence of the legislation.

I recall the last election being based centrally on the economy and its management. Did we hear one word about these proposals in the course of that election campaign? When the Prime Minister said, ‘This election is about trust. Who do you trust to manage the economy?’ did we hear one word about these proposals? Not only did we not hear one word about these proposals in the government’s formal election policy commitment on industrial relations, but when the Prime Minister physically launched this in Brisbane in September 2004, he was asked whether he proposed to seek to abolish the no disadvantage test and he said no. Not only was there nothing about this legislation in these commitments to the Australian people, but a central piece of the government’s legislation—the abolition of the no disadvantage test—was positively disavowed by the Prime Minister in a case of deliberate misleading and deception.

Why do we have economic prosperity in Australia at this point in time? Is it because the government has passed an extreme piece of industrial relations legislation from 27 March? No. We are into our 16th year of economic growth, much of that set up by the structural reforms made by the Labor Party when last in government. In more recent years, we have had the benefit of a resources boom to China. What do international and domestic experiences tell us about the economic impact of these proposals on the Australian economy? The domestic experience in the states of Western Australia and Victoria, where proposals similar to these were introduced at the state level, showed two essential economic outcomes: a reduction in wages of those people in the workforce and a reduction in state based productivity. We have seen exactly the same outcomes in New Zealand where proposals similar to these were also introduced at the point in time when, in Australia, we introduced collective enterprise bargaining. We saw Australian productivity increase massively and at the same time in New Zealand, as a result of individual contracts, productivity and economic growth declined.

The OECD employment outlook 2006 underlines all of these points. If you want to get productivity into your economy, rely upon collective enterprise bargaining. That is where you will get the productivity improvements. All the domestic and international economic experience about these measures is: wages down, productivity down. And wages down is what the government is all about. Why is that? Central to a range of issues raised by the Leader of the Opposition, me and my colleagues yesterday and today was the abolition of the so-called no disadvantage test, taking away the conditions and entitlements that Australians have come to rely upon for their take-home pay: penalty rates, leave loading, shift allowances, rest breaks and the like. This is best shown by the list of 46 award conditions expressly excluded by the Commonwealth Bank AWA.

My second point is that the government asserts that everything that we find in these measures is good. Indeed, in question time today the minister said, ‘These measures make Australians better off.’ The Leader of the Opposition asked him a very simple question: ‘If you assert that these measures make Australians better off, give a guarantee that no individual Australian employee will be worse off as a result of these measures.’
That is a guarantee that the Prime Minister has refused to give from day one. When he was asked in 1996 about the so-called Reith proposals, he gave that guarantee. Chastened by that experience, he knew, as the tricky politician that he is, that this was not a guarantee he could give now. How does he combat that? He combats that by saying, ‘Anyone who raises a point which might suggest that someone out there in the workplace, out there in the suburbs or out there in Australian society has been adversely impacted by these measures must be engaging in a shocking and terrible misleading.’ He will blackguard anyone who raises a legitimate factual point.

We know the Prime Minister is a serial misleader of the Australian public when it comes to industrial relations and that is reflected by the absence of any of these measures in that 2004 election document. Some of us have been around long enough to know that the phrase ‘Honest John’ was always an ironic expression. That applies to no greater extent than when the Prime Minister is engaging in a conversation about industrial relations. He will do anything, say anything or mislead anyone to slide through the adverse political, social and economic consequences of his extreme and unfair measures.

The next point the government makes is that the Labor Party said that the sky would fall in on 28 March. Just put to one side the fact that we did not say that—no-one asserted that the Western world as we know it would stop on 28 March as a result of the introduction of these measures—but the Prime Minister and the minister are out there saying, ‘The sky hasn’t fallen in! The sky hasn’t fallen in!’ Labor has raised case after case in this House. Guess what? In each of those cases, the sky has fallen in for the individuals concerned. They have either been unfairly dismissed without a remedy or they have had their take-home pay components shredded by an AWA which cuts out their penalty rates, their overtime, their shift allowance, their roster arrangement, their tea break and their capacity for decent work and family balance and a decent take-home pay package. They are pushed onto an AWA which has no unfair dismissal remedy, no protection from the umpire and which shreds those take-home pay conditions and components.

Without going through the complete list, let us just look at how the sky has fallen in for some people since 27 March. The Prime Minister does not like it when we remind him of Annette Harris. The sky fell in for her when her employer tried to force her onto a 2c per hour AWA where her overtime and penalty rates were shredded. The sky fell in for the Cowra abattoir workers when they were told that they could be sacked unfairly with no remedy for so-called operational reasons. You will all recall the minister and the Prime Minister saying publicly, ‘Oh, operational reasons—there’s no change.’ Recently, the government put a submission to the Industrial Relations Commission on an operational reasons matter. The government’s own submission said that the law had changed in this area: the threshold for operational reasons was lower and that, if operational reasons were there, when it came to the dismissing of individual employees, merit did not apply. So the sky fell in for the Cowra abattoir workers. I remember the Triangle Cable case, which was one of the first cases of unfair dismissal after this legislation came into effect. I remember seeing two or three employees on ABC TV, one of them saying words to the effect of: ‘I have been here for 20 or 30 years. I have a wife, a mortgage and four kids. I don’t know what I’ll do.’ The sky had fallen in for them.

Finally, the government says, ‘Let’s rely upon the data.’ There is only one problem: when it comes to this area, the government has now deliberately hidden the data. At
Senate estimates in May, the Office of the Employment Advocate made the point that, when it came to AWAs, 16 per cent of AWAs removed all those take-home pay components, the so-called protected award conditions; 100 per cent removed one; 64 per cent removed leave loadings; 63 per cent removed penalty rates; and 52 per cent removed shift loadings. What did the government do after that data, its own data, was pushed out? Come November, at Senate estimates, it refused to release that data.

Let us explode the myths. On a day when hundreds of thousands of Australians have marched in the streets to make their point—they think this legislation is unfair, they think it is extreme, they think it should be chucked out—these government myths should be thrown away and the government itself thrown away at the next election. (Time expired)

Mr BARRESI (Deakin) (3.53 pm)—The ALP’s argument today is that they are looking for a guarantee that jobs will be secure. They are also denying the fact that they have talked up the fear campaign over the last 12 months. We are seeing an ALP that has been told to get in here today, on the day of action, and muscle up to the government. Where in the legislation that the ALP passed in this House in the 1990s did it guarantee the one million people who were unemployed during the nineties a job? The problem with the Labor Party and the union movement is that they are not interested in the welfare of the unemployed. They keep talking about those who have jobs, but they have shown no interest at all in those who are unemployed. If they showed any interest at all, they would have recognised that, in the seven or eight months since Work Choices came in, we have seen 165,000 new jobs created compared to the 10.9 per cent unemployment rate during the Labor Party’s term in office. If they deny my claim, all I have to do is refer to a certain minister, who, on 30 June 1993, said:

... my father said to me when I got the Defence portfolio that ... I’d been given the poisoned chalice. I thought then he was wrong and now I know he really was wrong. I have it now.

Of course, that was the current Leader of the Opposition, Kim Beazley, speaking about his portfolio as the then minister for employment. He also said in 1993, when he was asked by an interviewer:

So this group—the unemployed—are being told, in their twenties, by society, effectively: You’re the losers; go to the scrap heap.

This was Kim Beazley’s response to that interviewer:

Well, those who haven’t made it into work and who are among the long-term unemployed, that’s a reasonable statement.

He gave up, and those people remained unemployed. Yet what have we seen in the 10 years that the Howard government has been in place? We have seen 1.9 million people get a job. These are people who can now go home after work and sit down with their families. They have a wage that they bring home so they are able to pay their bills, feed their family and pay for the kids to go to school. They are not like those who were unemployed, who were denied any form of support or even attention by those opposite when they were in power.

The ALP have said today that they have never talked up the fear, that they have never talked about the immediate adverse impacts of Work Choices—that this will be a slow burn. This is rhetoric that is changing. It is a shifting sands argument by those on the other side. Of course they created a fear campaign. Of course they are out there talking about doom and gloom. I recall the Leader of the Opposition in this chamber saying that the divorce rate would go up because of Work Choices.
Choices. The absurdity of the man, making those sorts of claims!

The Leader of the Opposition and the member for Perth are two men under pressure. They are under pressure and they are under the microscope of the union movement at the moment. They are now of course trying to buck-pedal from some of the comments that they made. They have been told to come in here and muscle up once again.

We keep hearing, over and over again, exaggerated claims by those on the other side. The union movement this morning attempted to flex its muscle in an effort to demonstrate its relevance to the Australian workplace. The call went out to fill the ‘G’. I know about that call to fill the ‘G’ because three-quarters of my electorate was letterboxed with ‘Fill the “G”’! And, of course, mine was just one of many electorates targeted. What did we see? We saw 45,000 people turn up. I think Carlton and Fremantle get more spectators at their games than turned up today. In fact, I would guess that Jimmy Barnes, the rock legend that he is, could probably get 30,000 of those on his own, without even having it forced, because of his status. If you said, ‘Free attendance, a day off work—come and listen to Jimmy Barnes, a great Australian rock legend,’ you would expect a minimum of 30,000 just to come along and listen to the man, without having some sort of campaign attached to it by the union movement.

The call went out and what we are seeing now is exaggerated claims about the numbers of people who have attended these rallies. There is one thing about those on the other side: if they tell a furphy often enough, people are bound to believe it. That is what this campaign is all about, and that is of course what we are also seeing with the exaggerated claims of those who attended the rallies today.

At today’s rally the Leader of the Opposition, the member for Brand, joined his union mates on the stage and railed against Work Choices. He claimed that Australians would be working harder, for longer hours and for less pay. This is, of course, a perfect example of the misstatements and half-truths that have surrounded Work Choices. The Minister for Employment and Workplace Relations outlined today in question time and also during his contribution on the MPI the proud record of this government in delivering jobs, in delivering wages growth and also in ensuring that the number of disputes in delivering jobs, and working days lost in Australia have fallen dramatically from 104 per 1,000 employees in 1994, when Kim Beazley was responsible for employment, to today’s level of 3.1 days—a single-digit figure—per 1,000 employees. This is the lowest level of industrial disputation in the history of this nation.

He went on to deride the changes, refusing to acknowledge that the changes to workplace relations since 1996 have really delivered these better outcomes. Instead, we hear stories about rights being stripped away, workers being forced to sign AWAs or get the sack and people being sacked for no good reason. Yet when each of these stories is subjected to even the most cursory examination they are found to be exaggerated, overstated or simply manipulated to fit the requirements of the opposition. The member for Perth, who is a serial offender at this, has been found out on a number of occasions.
Mr Adams—So none of that’s true?

Mr BARRESI—He repeated one just a moment ago when he talked about Annette Harris being forced to go onto an AWA. She was not forced to go onto an AWA; as an existing employee, she could certainly maintain her current arrangements. He came in here and repeated the same thing all over again.

Mr Adams interjecting—

The DEPUTY SPEAKER (Hon. IR Causley)—The member for Lyons should know that he is on very thin ice!

Mr BARRESI—Yesterday, the member for Perth came into the chamber asking questions regarding the Commonwealth Bank and was caught out once again when he failed to mention that, five years ago, the Financial Sector Union agreed, on behalf of its members, that a range of conditions could be exempted. This is the Commonwealth Bank of Australia Retail Banking Services enterprise bargaining agreement 2002, between the bank and the FSU. What does it say? It says: 12.2 Where an employee accepts an offer in terms of clause 12.1, he or she may be exempted from the provisions of the Award and EBA in relation to:

• rostered days off
• overtime and separate attendance
• meal allowance
• leave in lieu of travelling time
• on-call allowance
• telephone availability allowance
• higher duty allowance
• annual leave loading.

These are things which could have been negotiated away in a 2002 agreement between the union and the bank. He did not mention that when he came in yesterday. He reeled off his 46 items, which can also be negotiated away if someone enters into a new AWA with the bank. The member for Perth comes in here and makes his exaggerated claims.

We also found out today that for the 755 positions the Commonwealth Bank is offering in 65 locations where the branches will be open on Saturdays there were 2,300 applications. There are 2,300 people who are applying for Saturday jobs? Why are they doing that? Because the arrangements suit their particular conditions in balancing family and work. That is why they are going along. So when they talk about people voting with their feet— (Time expired)

The DEPUTY SPEAKER—Order! This discussion is now concluded.

BUSINESS

Days and Hours of Meeting

Mr IAN MACFARLANE (Groom—Minister for Industry, Tourism and Resources) (4.03 pm)—by leave—I move:

That standing order 31 (Automatic adjournment of the House) and standing order 33 (Limit on business after 9.30 p.m.) be suspended for the sittings on Monday, 4 December and Tuesday, 5 December 2006.

Question agreed to

ENVIRONMENT AND HERITAGE LEGISLATION AMENDMENT (ANTARCTIC SEALS AND OTHER MEASURES) BILL 2006

Report from Main Committee

Bill returned from Main Committee without amendment; certified copy of the bill presented.

Ordered that this bill be considered immediately.

Bill agreed to.

Third Reading

Mr IAN MACFARLANE (Groom—Minister for Industry, Tourism and Resources) (4.05 pm)—by leave—I move:

That this bill be now read a third time.
Question agreed to.

Bill read a third time.

PROHIBITION OF HUMAN CLONING FOR REPRODUCTION AND THE REGULATION OF HUMAN EMBRYO RESEARCH AMENDMENT BILL 2006

Second Reading

Debate resumed.

Mr ADAMS (Lyons) (4.05 pm)—As I was saying before the debate on the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 was interrupted, as embryonic stem cells currently hold the greater prospect for potential success, it makes sense to proceed in this manner. This leads me into the ethical elements of the debate. So many arguments have been put forward that I am going to put forward some answers to them now.

First and foremost is the argument that to conduct research on embryos, or even to undertake the process of SCNT, is immoral because it results in the destruction of human life or a potential human being. Of course I accept people have religious and moral beliefs, and they are entitled to, but I am just not prepared to accept many of the arguments being put forward that embryonic research results in the ‘death’ of a human being. There are several reasons for this. The main reason is that I do not believe it is the role of the parliament to enforce a particular religious view upon society. We are here to provide guidance and to make decisions for the good of the community as a whole, not just for some sections of it.

It is interesting that, according to Hall and others in the previously mentioned paper published in Stem Cells in March this year, while some religious groups are of the view that human life begins at conception, others such as Islam and Judaism consider that life begins only after the development of a fully formed foetus. It seems these religious groups are not opposed to IVF treatment for a husband and wife only.

Therefore, this is a debate to which there is a need to apply some logic, and logic indicates that many of the arguments are indeed invalid—particularly those concerning embryos of less than 14 days or prior to the formation of a primitive streak, which is the beginnings of a nervous system. After all, as Steinbock, Professor of Philosophy at the University at Albany, argues: why does biology confer a special moral status? What constitutes moral status is in itself a detailed and complicated argument. However, there is a view that to have moral status a being must have an interest in its own welfare, which an embryo without even the precursor of a nervous system does not have. A blastocyst contains 100 to 200 cells—no brain, organ system or any form of personhood. Steinbock also argues that, if left alone, a foetus will most likely develop into someone with a valuable future, whereas an embryo—whether it is leftover from IVF or even created deliberately for research, which is allowable in some counties—left alone will die. It therefore does not have a valuable future.

It is perhaps Brock in a recent article published in the Journal of Medical Ethics who outlines the ethical arguments in the case for stem cell research to proceed. Currently, the IVF process results in extra fertilised eggs producing embryos. On average, for each embryo born alive at least three other embryos created will die before birth. That is the figure relating to normal sexual reproduction, not IVF! So those who argue that to undertake research on an embryo is sacrificing a human life need to consider the sacrifice made during normal sexual reproduction. Three deaths for one live birth is rather a sacrifice, don’t you think?
Perhaps the strongest argument in this respect is the following one—also put forward by Brock. Consider a fire in an IVF laboratory. You are there and you have the opportunity to save a tray of 100 surplus embryos or one eight-year-old child. Which do you choose? If you follow the argument that an embryo is indeed a life then you must save the lives of the embryos and let the child die.

Also, if an embryo is a living being, what of the embryos that are considered unsuitable for implantation? I referred to those at the beginning of this speech. They are not implanted; they will never reach the stage of being a living human being. So what is their moral status? There are some who argue that research on embryos is unethical as they are potential life. However, if you take this view, then the embryos will not be actual life until they develop. With the process of SCNT, this is an unlikely event. While it is true that Dolly the sheep is the product of this process, the developmental complexity is much less in sheep and, indeed, many other species than it is in human beings. It is extremely unlikely that the SCNT process would ever produce a cloned human—and, of course, under this legislation attempts to undertake this are prevented.

For those who put forward the so called ‘slippery slope arguments’ of how, if we proceed down the path proposed by this bill, we will have embryo farms and cloned babies or use foetuses for spare parts I argue this is why we need this bill—to stop those very things. It continues to be illegal to sell human eggs or sperm—incidentally, it is not illegal for a woman in the United States to sell her eggs—it will be illegal for any embryo that has undergone SCNT to be implanted and it will be illegal to breed babies to create a farm for human spare parts. These are just not acceptable arguments against adopting the bill before us today.

Similar unacceptable arguments include the possible exploitation of women. Such an argument is a paternalistic one. With free and informed decision-making, women are able to make a choice. Brock argues that there are greater risks involved in the donation of a kidney to someone, yet this is something that occurs within our Australian society today. And why does this occur—why do we allow someone to donate a kidney to someone else? The organ donation debate has some similarities to this one. When making a decision, it is necessary to consider all of those who may potentially benefit. If one person donates a kidney to someone else, a life may be saved or another human being may be given improved quality of life.

This debate must consider the potential benefits that may— and I emphasise ‘may’—be possible from the application of stem cell research. It may be something that is way into the future, but we must make the right decisions here today if the future is to bring any benefits. I think the final word on this matter has been outlined by Brock, who writes:

Public Policy that binds all citizens should not be based upon reasons whose force depends on the acceptance of a particular religious doctrine that many citizens reasonably reject.

I reject the reasons for the objections to this bill, as I have outlined today, and therefore support this bill fully.

Miss JACKIE KELLY (Lindsay) (4.14 pm)—I never thought I would see the day when this parliament introduced legislation more bizarre than fiction. In the Arnold Schwarzenegger movie The 6th Day it was legal to reproduce people’s pets but not humans. Hence the fiction—Arnie had to die because he was close to discovering RePet Incorporated’s big secret: they had been cloning humans.
So in the bowels of Hollywood, script writers are dreaming up something so horrible to base their story-lines on—something that would shock the average person in the cinema, really horrify them, turn their stomachs and scare them silly—and what do they come up with? Human cloning. Yet this bill makes the corporation RePet illegal but ‘ReArnie’?—that is legal. Truth is stranger than fiction.

You can deny to the man in the street that the cells involved in the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 are embryonic. You can call them SCNT cells, stem cells, pancreatic cells or what you like, but if this cell is implanted in a uterus it will give birth to a clone. Let me read from the executive summary of the Lockhart review:

A further argument was that it is wrong to create human embryos to destroy them and extract stem cells. Human embryo clones are human embryos, and given the right environment for development, could develop into a human being. Furthermore, if such an embryo were implanted in the uterus of a woman to achieve a pregnancy, the individual so formed would certainly have the same status and rights as any other human being. However, a human embryo clone created to extract stem cells is not intended to be implanted, but is created as a cellular extension of the original subject. The Committee therefore agreed with the many respondents who thought that the moral significance of such a cloned embryo is linked more closely to its potential for research to develop treatments for serious medical conditions, than to its potential as a human life.

We are dealing with clones. We are talking about clones. This bill takes into account human frailties, so it makes it an offence punishable by prison to allow these cells—these clones—to survive beyond 14 days. You know why we do not want clones to survive beyond 14 days, don’t you? What if the scientist is hit by a bus and comes back to the lab 28 days later? What would these cells look like? How about 140 days later—what would these cells look like? I can tell you and so can any woman who has had an 18-week scan during a pregnancy.

Denying that this bill makes cloning possible is feeble at best. It is cloning. But what is so wrong with that? Belgium, China, Singapore, Japan and Sweden—they are all doing it; why not us? China is also using body parts of executed criminals for organ transplants. I am fed up with Australia being the lead contractor in our defence contracts. We always seem to be paying extra for our defence equipment because we are the lead supplier. Yet it is government policy that we should be purchasing, off the shelf, tried and proven international methods. What is wrong with Australia waiting a few more years to see how this technology turns out?

We said no to this bill in 2004. I do not think the parliament got it wrong. I cannot see anything that has happened since 2004 to lead me to any belief that we should expedite this research, which is barely eight years old. In any event, the scientists, thanks to the 2004 bill, already have access to all of the surplus IVF embryos with the parents’ consent. This bill also insists on a woman consenting to the use of her eggs. Good luck, because you have not had much success with the eggs already available and these women have already gone through the arduous hormone treatment and very painful egg extractions. You are not getting my eggs for that effort!

So where are the eggs going to come from? If these are truly SCNT cells, why not just let them reproduce in the petrie dish ad infinitum? Just simply kick the process off with the existing surplus IVF eggs and do not kill them at 14 days but let them keep reproducing. You will not have any requirement for more eggs, but do you know why
we require more eggs? We must kill these clones at 14 days because we know what happens if we do not.

So we are going to need an enormous supply of eggs. That is the kind of stuff that horror films are made of. It is absolutely abhorrent to put the mothers, sisters and daughters of the one million diabetes sufferers, 200,000 Alzheimer’s patients and 10,000 people with spinal cord injuries in a situation where they are expected to donate their eggs with the associated risks to their ovarian health. Spare us women the added burden of guilt, expectation and exploitation that will come with this bill.

There has even been one suggestion that aborted foetuses could be the source of these eggs. I cannot be satisfied with the efficacy of the egg collection and I do not believe that women will volunteer en masse on the scale required to make any significant contribution to the discovery of cures in this area of research. I have sought to amend this bill to satisfy all the concerns I have, but it is fundamentally flawed. I would rather spend my time dealing with the consequences of the weird and wonderful ways people have already used the IVF technology.

I could craft legislation for the rights of a woman whose egg is used to create the life. I could crystallise her rights to court to gain access to the child subsequent to birth. I would limit the number of eggs a single woman could donate to create children. I would put systems in place to prevent children created in this way from marrying their genetic siblings. I would codify the rights of a woman who carries another couple’s embryo. I would determine that $200,000 is grossly inadequate compensation for a surrogate mother. I would regulate the possible career of surrogate motherhood and determine that they must have already given birth in order to be a surrogate mother. I could limit the number of surrogate children a surrogate mother could give birth to. I could give the baby bonus to the woman with the mothering expenses rather than to the woman with the confinement expenses. I could codify the rights of the woman who orchestrates a surrogate birth and will for all purposes be the mother of that child, and her partner, who is complicit in the creation. Their names could appear on the register of births, deaths and marriages. They would be liable for child support in any subsequent Family Court matter.

What are the rights of a child conceived in another jurisdiction in circumstances illegal in Australia but brought up under Australian law? Have the parents committed an offence? In a family law dispute should frozen embryos be determined as a property right? Who owns them? What if one parent is dead? What are the rights of the other parent? What are the inheritance rights of a child born two years after either parent dies? Does this affect the other siblings’ inheritance? If the federal parliament is not prepared to legally codify the consequences of all of these things and more, then I do not think it is quite up to the standard of dealing with a whole bunch of new issues that will face Australians as they use this technology in weird and wonderful ways.

What are the rights of a child whose mother—and it could be a scientist; don’t think all scientists are male; a woman will go to extreme lengths to have a child—took the nucleus out of, say, a skin cell of hers, impregnated her eggs and gave birth to herself? Whether it is by therapeutic cloning or somatic nuclear cell transfer—call it what you will—the ability for a woman to have a child independently of a man is just around the corner. How will we as a society react to that?
My husband often complains that, in our family, his needs are irrelevant; however, this legislation makes men totally redundant. We said no to cloning four years ago. Let us say no again—at least until we have had more time to consider the consequences of this legislation and this technology elsewhere in the world. In the meantime, scientists can continue embryonic stem cell research on surplus IVF eggs, as provided for under existing legislation. Let us just wait and see. What is the rush towards ‘Repo Arnie’?

Mr MURPHY (Lowe) (4.23 pm)—In the few minutes left, I rise to oppose the Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006. In my view, there are a number of flaws in this bill and in its capacity to do good for society, other than to line the pockets of medical corporations.

I have nine points of objection and they are: (1) the views espoused by Senator Paterson and other proponents of human embryonic cloning have the propensity to mislead and confuse us with the terminology and the issues and, with respect and in my opinion, this has contaminated the minds of the public, including us, the parliamentarians; (2) nothing has changed scientifically since this parliament voted to outlaw human embryonic cloning in the 2002 legislation, and I was on that Legal and Constitutional Affairs Committee inquiry between 2000 and 2002; (3) elements of the Lockhart report are discredited, flawed in fact and it has reached biased conclusions; (4) the greater public interest of Australia opposes human cloning; (5) embryonic stem cell research has failed to deliver the promise for miracle cures and this is compared with the strident gains in adult stem cell research; (6) women are being exploited in the payment of money for their ova or human egg donation; (7) there are serious technical flaws in this bill, especially those provisions dealing with the so-called prohibitions; (8) there is more than one way to create a human embryo, not just by egg-sperm fusion; (9) in 2005 Australia signed a United Nations Declaration on Human Cloning and this bill violates that UN declaration.

When considering this bill before the House today, I am reminded of the words of Nazi German’s propaganda minister, Joseph Goebbels. He was attributed with saying, ‘Make the lie big enough, tell it often enough and people will believe it.’ What is this lie? The lie we are repeatedly expected to believe is that somatic cell nuclear transfer, or SCNT, is not cloning. We are further led to believe, wrongly, that there is a fundamental difference between a human embryo created by SCNT and a human embryo created by egg-sperm fusion. This lie, told often and consistently throughout this debate, has been recited, with respect, faithfully by Senator Paterson in her speech of 7 November 2006 on this bill. Senator Patterson said:

It is interesting that many of those against this bill base their objection to it on the status of an SCNT embryo being equal to that of an egg-sperm embryo.

Looking back, I think that somatic cell nuclear transfer as a source of embryonic stem cells became an unfortunate victim of the fear and confusion about what cloning meant.

And later:

Cloning of whole human beings will continue to be strictly prohibited. Let me repeat that: cloning of human beings will continue to be strictly prohibited.

Senator Paterson speaks the lie loud enough and long enough to dupe the Senate. The lie is the expressed and implied assertion that SCNT is not cloning. We are told, wrongly, that SCNT is not the same as human cloning, which properly and exclusively means cloning from egg-sperm fusion. This mantra is—to use the words of Dr David van Gend, in
his text *Conscience versus Con Science*, dated 30 August 2006—‘the great lie at the heart of the cloning debate’.

I put to the members of the House this afternoon this fundamental question on their knowledge of the substance of this bill: is SCNT technology cloning? The answer is yes. I quote from the text of Dr David van Gend, who in turn cites an article entitled “Playing the Name Game: Stem-cell scientists should not try to change the definition of the word ‘embryo’”, which was published in the scientific journal *Nature*:

Nature accused scientists of “playing semantic games in an effort to evade scrutiny” and restated the biological truth that the entity created by cloning was just the same as the entity created by IVF fertilisation:

Whether taken from a fertility clinic or made through cloning, a blastocyst embryo has the potential to become a fully functional organism. And appearing to deny that fact will not fool die-hard opponents of this research. If anything, it will simply open up scientists to the accusation that they are trying to distance themselves from difficult moral issues by changing the terms of the debate.

There is a famous reported legal case called *Hedley Byrne v Heller & Partners* [1964] AC 465. From this case the saying was coined ‘a burn is a burn is a burn’. This saying means that harm from a burn caused by a fire is the same as a burn caused by scalding water, by electricity or by heat induction. So, too, today it is put that a human embryo is a human embryo is a human embryo. Whether the human embryo is created by cell, sperm fusion, SCNT technology or other techniques, such as pathogenesis, the bottom line that members here must understand is that a human being is being created. That blastocyst, once created by cell-sperm fusion, SCNT or pathogenesis, has the potency to become a fully functional human being. That is the moral reality of what is being debated and voted on here today. This House, if it passes this bill, will permit the creation of human embryos for the sole purpose of harvesting body stem cells.

**ADJOURNMENT**

The **SPEAKER**—Order! It being 4.30 pm, I propose the question:

That the House do now adjourn.

**Forest Industry**

Mr **MARTIN FERGUSON** (Batman) (4.30 pm)—I rise this afternoon to talk about my portfolio responsibilities in respect of the forest industry. Australia’s forest and wood products industries contribute about two per cent of Australia’s GDP and directly employ more than 83,000 people. This is one of our largest manufacturing industries, and it is the lifeblood of many rural and regional communities around Australia. Although we are both a net producer and an exporter of timber in volume terms, we have a significant trade deficit in forest products of around $2 billion; hence, it is important that we grow both our domestic and export markets to offset that deficit. Plantations are therefore critical to this goal.

Over the last five years, managed investment schemes have injected over $2 billion into rural communities for plantation expansion. The industry is on the verge of realising another $4.5 billion investment in value-added processing capacity, underpinned by the expanding plantation resource increasingly provided by managed investment schemes. This investment could deliver another 4,600 jobs to regional Australia, but the Prime Minister and the Treasurer are putting this investment very seriously at risk. They will not come clean about where they stand on the taxation of the managed investment schemes that are so important to this industry.
History tells us very clearly that changes to the taxation arrangements for plantations can have serious economic and social consequences for the forest industry and for regional communities. Removal of the 13-month prepayment rule in 1999 led to a dramatic 70 per cent decline in investment in plantations, with damaging flow-on effects to the industry and to rural businesses and communities. I am told that changes being considered by the government today could result in the loss of up to 10,000 direct and indirect jobs in rural communities over the long term. Not only that but we could lose $1.2 billion off the gross value of production annually. Our $2 billion deficit in forest products would then grow by another half a billion dollars.

Demand for timber and wood products, as we all appreciate, will not disappear. We will just import more products, potentially from countries with unsustainable or illegal forest practices. Already 10 per cent of Australia’s timber imports are suspect. We will also lose the carbon sequestration potential of expanded plantations which will help Australia to meet its Kyoto target. This growing store of carbon in wood products, commercial forests and plantations offsets a full 10 per cent of Australia’s annual net greenhouse emissions. The accumulated storage of carbon in Australia’s forest plantations and wood products is equivalent to Australia’s total greenhouse emissions for 2003 and 2004 combined.

This government failed to resolve the taxation treatment of managed investment schemes for forestry in the last parliament. We are now seeing this parliament slip away, with the industry enduring continued and damaging investment uncertainty. The Minister for Agriculture, Fisheries and Forestry wants to preserve the right to invest in rural and regional Australia for the landed gentry and his mates in the merchant banks but, for some strange reason, he does not want city mums and dads to get a slice of Australia’s farms or forests.

This government wants to limit the deductions mums and dads will be able to obtain when they invest in plantation forests through managed investment schemes. In the case of Tasmania, to withdraw support for managed investment schemes in the plantation forest industry is a clear breach of the Tasmanian Community Forest Agreement and a threat to the all-important Tasmanian pulp mill. In the case of the Northern Territory, Indigenous communities such as the Tiwi Islanders will lose their new found economic and social empowerment brought by the plantation forest industry.

The government is not listening to its own research agencies such as the Australian Bureau of Agricultural and Resource Economics and the Productivity Commission, which have reported the severe decline in rural and regional Australia and the deepening and urgent need for capital. After more than a year of uncertainty and continual reviews that are damaging the industry, it is time to get on with the job. I simply say: with Christmas fast approaching, please make a decision. That is the request from the industry to the Howard government. End the uncertainty which is holding back investment, putting this industry at risk and undermining key carbon sequestration options. Cabinet meets on Monday. The industry and the opposition wait to see whether this issue will be resolved once and for all. (Time expired)

Australian Capital Territory: Anzac Parade

Mr Bruce Scott (Maranoa) (4.35 pm)—I rise in the adjournment debate to bring to the attention of the House my concerns about the National Capital Authority’s proposal to locate unisex toilet amenities on Anzac Parade. Although this proposal was
brought to my attention a few weeks ago, this has been the first opportunity I have had to place on the public record my concerns about this proposal by the NCA. On the last day of the last sitting period I inspected the site of the proposed unisex toilets and, in my opinion, the proposed siting is not fitting for this memorial avenue—the most important commemorative avenue in Australia.

While toilets are a necessary public facility, and I agree there is a need for toilets in the vicinity of Anzac Parade, I am certain there are other more suitable and less offensive locations for public toilet amenities. In fact, no matter how architecturally designed the toilets are, they will still be placed on the same alignment as the memorials which line Anzac Parade. A more suitable location would be one closer to the Australian War Memorial, off and away from the alignment of Anzac Parade. Such a location would also serve as a well-appointed facility on days of remembrance and commemoration, such as Anzac Day and Remembrance Day. It would mean the increasingly large crowds of people who attend these services to pay their respects and to honour the thousands of young Australian men and women who served their country proudly would be able to easily access the amenities.

All Australians would agree that the Australian War Memorial and Anzac Parade are at the nation’s epicentre for commemorating and honouring Australia’s service men and women. Their service and sacrifice helped shape and define Australia’s national identity. Mateship and humour were undeniable on the battlefields of Gallipoli and the Western Front during World War I. Courage, ingenuity and selfless spirit were forged in the prisoner of war camps during World War II and endurance was unmistakable on the death marches of Sandakan. Determination and persistence were forged along the Kokoda Track. Integrity and initiative were evident in those who served in the conflicts of Vietnam and Korea. And who can forget the compassion shown by the nurses in all conflicts in which Australia has been involved.

Clearly, Australia’s national identity was in many ways forged during our involvement in several theatres of war and conflict. In fact, the national axis linking the tomb of the unknown Australian soldier at the Australian War Memorial to the cabinet and Prime Minister’s office acts as a reminder to the elected members of this parliament of the more than 102,000 lives which were lost in order to keep our country free. What lies along these two points is Anzac Parade, and lining Anzac Parade are 11 memorials dedicated to the many Australian and New Zealand troops who paid the ultimate sacrifice for this country. These memorials pay tribute to the Army, the Navy, the Air Force, the Rats of Tobruk, the Desert Mounted Corps, the nurses, the Vietnam forces, the Korean forces and New Zealand soldiers.

The proposal by the NCA to have a toilet facility located on such a sacred memorial site is nothing short of appalling. To think that the NCA is so insensitive and so out of touch with the importance of this memorial avenue is, without doubt, the cruellest blow to the many young men and women who are honoured along Anzac Parade. The bottom line is this: who really wants a toilet facility on the most significant memorial avenue in this country? It would be confused as a memorial. I am confident that I can speak for the majority of Australians when I say that it would also be offensive to them. Even the best designers in the country could not possibly develop a structure which would not be obtrusive. A toilet block is a toilet block, no matter which way you look at it. I call on the NCA to abandon its proposed site for these unisex toilets, to go back to the drawing board and to come up with a more suitable
location for the facility—a location that respects the sacrifice made by the men and women who helped shape this great nation.

Migrant English

Mr MELHAM (Banks) (4.39 pm)—Recently I spoke in the debate on the Australian Citizenship Bill 2006 to express my disapproval of the government’s planned changes to citizenship requirements. One of the issues I raised related to the lack of services for migrants to learn English. Today I wish to address some specific concerns in relation to those services. A critical change to funding of the Adult Migrant English Program was the introduction of tendering in 1998. Competitive tendering has not marked a change for the better in the provision of services. The competition is intense as training providers seek to provide teaching at the most economical price. A result of this competition is that student learning will be disadvantaged, particularly with student-teacher ratios. What we must ask is whether this is the most appropriate manner in which to fund such an important program.

Currently, the AMEP offers a standard 510 hours of tuition for migrants. In 1997, an additional 100 hours of entitlement were created for humanitarian entrants. In 2004, up to an additional 400 hours were created, also for humanitarian entrants. The rationale for this was to focus on those under 25 years of age with low levels of literacy and schooling. It is also worth noting that a number of people have already paid for some of that tuition through their visa application—in some cases up to $4,000. Of course, there has been an increase in skilled migrants who are required to have high ‘vocational’ level English prior to coming to Australia, though there are problems with English pronunciation in some of these cases.

However, it is the humanitarian migrants whom I wish to consider today. Over the past few years we have seen an increase in humanitarian refugees, particularly from Africa. Many of these people are not literate or are barely literate in their own language. The disciplines of learning we take for granted in a Western culture are nonexistent in theirs. Children can be ‘child soldiers’ and certainly have spent at least a large part of their short lives in camps—not a conducive learning environment. Many have no experience of schools as such. AMEP teachers are faced with a task way beyond the straightforward teaching of English as a second language.

Research from the Brotherhood of St Laurence has explored the settlement experiences of Iraqi and Sudanese people settling in regional Victoria. Even allowing for specific regional issues, the funding model based on attendance numbers made classes unsustainable. Janet Taylor, who is the Research Coordinator at the Brotherhood of St Laurence, Melbourne, has conducted research into refugee settlement. In her paper ‘Refugees and regional settlement: a simple equation?’ Ms Taylor identifies several key difficulties for refugees in learning English: cost of child care, transport issues, classes for shift workers, diverse learning needs and levels, and varied experiences and background in learning. In addition, if a person is able to get a job, then they must suspend classes in many cases.

These are the current challenges facing those delivering English in a contracting environment focused on cost saving. I am advised that the current funding model averages a student-teacher ratio of 18 to 1, which I find very high for this type of teaching. I am further advised that in local programs that figure can reach 23 to 1. This is an extraordinarily high figure for this level of intensive education. In some cases, private providers are reputed to have a ratio of 30 to 1.
The research I referred to earlier noted that providing for diverse learning needs is difficult. For example, among the Sudanese were women who had no formal schooling and who were unable to read their own language, let alone English. This contrasted with other groups—men—who had learnt a little English at school and who had some tertiary qualifications but who needed high-level English assistance to enable them to undertake further studies.

What is apparent is that the diversity of needs and circumstances requires a multiplicity of learning and funding models. Data collected in the 1990s found that it takes a range of 600 hours to 2,500 hours, depending on educational and language background and the purpose of language learning, to learn a language. It would be useful to have more recent data, but the range in itself indicates that there are extraordinarily diverse ranges of learning needs. One size will not fit all. In order to meet those needs and, I might add, the proposed English language requirements for citizenship, more flexible funding arrangements should be developed.

**Farms**

Mr SCHULTZ (Hume) (4.44 pm)—We in this place all understand the very serious problems that rural people, particularly farmers, are facing during this long and debilitating drought. To its credit the government has responded magnificently to that challenge with its drought aid packages. But I want to talk about some of the things that I as a local member, along with my wife, have seen and experienced.

As we all know, farmers and their families are very proud and resilient people. But when you come face to face with the quiet dignity of a farmer’s wife telling you that the first thing they did as a family when the drought hit them and their finances so badly was to give away what we take for granted—that is, those non-essential items that we talk about—it is confronting. My wife was heartbroken at hearing some of the stories from these women, so she asked a couple of them to go to Sydney with her to talk to some women about their plight as wives of farmers affected by drought. She also took a 27-year-old young woman, who was the daughter of one of them. They addressed a meeting of 200 women in the New South Wales state parliament, many of them from the North Shore. After this young woman had read a poem about how the drought was affecting her dad, one of the women noticed the hands of the young woman and asked, ‘Dear, what’s the matter with your hands?’ The young woman said, ‘I’ve been out fencing with Dad because he can’t afford to employ any labour on the farm.’ The lady reached into her handbag and pulled out two containers of very expensive hand cream and gave them to her. My wife said there was not a dry eye in the room.

About a week and a half later, my office received a station wagon load of cosmetics, perfumes and the essential items that women need to keep themselves soft and supple, smelling nicely and looking pretty. We put them into bags and delivered them to these farmers’ wives, who in many cases were overcome with emotion because they had not seen these essential items for so long. My wife also spoke to a group of people in Camden, and after that a similar exercise occurred.

More recently, I spoke on local radio in Canberra about the difficulties faced by farmers and their partners and children. I received a phone call in my Parliament House office from a lady named Ann Dawson, offering support. Ann is a member of a group of volunteers, and they loaded up my car with goods to be given to struggling farmers. But it did not stop there. The Wanniassa Trefoil Guild, under the presidency of
Merrill Davis, of Kambah, invited my wife to speak to them at their Christmas luncheon on Sunday. The Trefoil Guild is the adult section of Guiding, and they carry the spirit of Guiding into the community. My wife addressed the women at the luncheon and was overwhelmed by the concern and generosity of these Canberrans.

Caitlin Paxevanos, a junior Guide from the Canberra 1st Group, presented bags of necessary goods and told my wife that the Guides had worked to raise the money to buy goods of their choice. Caitlin, a delightful Junior Guide aged eight, said she had had to vacuum her dad’s car to help raise money for her donation. My car was later loaded to the hilt with boxes and boxes of vital goods from the truly caring people of Canberra and from the ladies of the Trefoil Guild. I understand that these wonderful, generous women will continue to buy goods out of their own pockets for stricken farmers. The artists who attend the Merrill Davis Art School are also contributing to this cause, with Merrill providing her garage as a depot for the goods, which I am sure is an inconvenience to Merrill.

The reason I bring this matter into the chamber is to acknowledge the significant and open generosity of Australians to people in need. I particularly acknowledge the significant contribution that Australian women have made towards their rural counterparts, and more importantly to their children and their families. I acknowledge their contributions. I know they will make a lot of lives happier out there during a very difficult drought period, and, hopefully, we will be able to do more in the future. *(Time expired)*

**Howard Government**

Dr EMERSON (Rankin) *(4.50 pm)*—This is a story about arrogance and improper behaviour on the part of Howard government ministers. The first story relates to an event that occurred in the chambers of the Brisbane City Council, where a dispute had occurred between sitting Councillor Gail MacPherson and the Lord Mayor of Brisbane, Mr Campbell Newman. The argument was about the status of 2.2 hectares of land at 154 Stones Road, Sunnybank Hills. During the course of the argument the Lord Mayor said the following:

I don’t care about your interjections because I am going to tell the community, and so, by the way, is the local Federal Member, Minister Gary Hardgrave, who will be doing it with those huge resources those Federal MPs have. He’s writing to everybody telling about the porkies you’ve been telling.

What we have here is the Lord Mayor of the Brisbane City Council, saying that he is going to organise for a federal member of parliament not only to intervene in a local council matter but to use his mailing and printing resources in order to communicate to people what they consider Councillor MacPherson might or might not have done in relation to the protection of this land. For the record, Councillor MacPherson very much wants that land protected, and she is succeeding in having it retained as densely vegetated land rather than it being sold off. So good on Councillor MacPherson for doing the right thing.

When a government has been in office for more than 10 years it loses perspective on right or wrong and on propriety and impropriety, and here we have a councillor being attacked not only by a Lord Mayor in a council arena but by a Lord Mayor saying that he will instruct a federal member to use the resources of the federal member’s office to contact people in the local area to help enlighten them, as far as the Lord Mayor is concerned, as to what Councillor Gail MacPherson may or may not have been doing.
Obviously this is a thoroughly inappropriate action on the part of both the Lord Mayor and the member for Moreton. The member for Moreton has form on this: he is always getting involved in local council issues, in disputes between councillors of the Labor persuasion and of the coalition persuasion, and, in so doing, seems to be oblivious to any sort of propriety that could be expected of him in the disbursement of—and I quote the Lord Mayor again—‘the huge resources those federal MPs have’. The Lord Mayor went on in this same council exchange to say:

Mr Chairman, Minister Hardgrave, the local federal member, will write to everybody about the porkies you have said in here today and I will too, Mr Chairman.

Again, for the record, Councillor MacPherson has not only done nothing wrong; she has absolutely ensured that that land is protected. The minister should pull his head in and use his office resources properly instead of improperly—which he obviously is doing at the behest of the Lord Mayor of Brisbane.

The second example of this sort of arrogance and impropriety was raised in the parliament today when the member for Swan asked the Minister for Education, Science and Training why he was the last to know—and a Liberal candidate was told beforehand—about the success of schools in the electorate of Swan in receiving funding allocations under the Investing in Our Schools program. Rather than responding to that question by saying that she would look into it, that there may have been some sort of administrative error or that perhaps someone had jumped the gun, the minister said:

This is a typically self-indulgent question ... In other words, she was very happy to see this sort of activity going on, whether she did it personally or authorised someone else to do it. Again, that is improper behaviour, particularly as the candidate runs an air-conditioning business, potentially a massive conflict of interest. I would hope and expect, as would the member for Swan, that this businessman, considering the business that he is in, does not start to be awarded contracts for the Investing in Our Schools program. But how would we know? This government has lost all sense of perspective of right and wrong and propriety and impropriety. It is an indication of a government that has been here for too long. *(Time expired)*

Hasluck Electorate: Tales of Times Past Program

Lesmurdie Primary School
Ashburton Primary School

Mr HENRY (Hasluck) (4.54 pm)—I rise today to recognise and to rejoice in and praise the efforts of both the young and the old in my electorate of Hasluck in helping to build our community. I would like to tell the tale of the Swan senior storytellers, who have initiated the Tales of Times Past program. The program is a wonderfully creative way of bringing a little local history to our children in primary schools and to the community in general in my electorate and in the surrounding area.

This talented group of senior storytellers hand down their experiences in life as they remember them about how things used to be—how, years ago, fresh milk was delivered to children in primary schools, bread was delivered daily by horse and cart and clothes props were sold to hold up washing on clothes lines. Many of our senior citizens
have a multitude of personal experiences and anecdotes tell about when they were growing up. The lessons in how things worked in the past are fascinating and are a part of our social history. It is right that we hear them and learn from them. To have these stories of personal experiences passed down from generation to generation is very special in my view.

The Tales of Times Past program was recently awarded the BankWest seniors award’s certificate of recognition in the area of active ageing leadership for their contribution to community participation. I would also like to commend the Swan senior storytellers, particularly their coordinator, Mrs Esther Flowerday, and volunteers Mary Shaw and Dorothy Gibbs. I congratulate them and the other volunteers associated with this program on their achievements, their dedication and their significant contribution to the development of our children.

It appears to me that part of the problem in our society today and in communities generally is that quite often young people grow up without contact with grandparents or with senior members of our communities or the extended family, and therefore do not have the opportunity of getting to know or appreciate seniors or to build respect for them. The excellent initiative of Tales of Times Past gives young kids and youths this chance to bridge the gap between young and old and to share experiences and grow together.

On the other hand, many young people do wonderful things in our community and need to be given as much recognition as possible. For example, some 50 students from Lesmurdie Primary School raised more than $2,400 for Australians with multiple sclerosis. These students deserve our recognition. They took up the MS Readathon challenge to raise these funds. The amount of $2,400 from Lesmurdie Primary School is a wonderful achievement. One student, Tamara Bishop, raised $1,126.85 on her own by reading more than 50 books. In all, participating Lesmurdie Primary School students read 480 books. I understand a teacher from Lesmurdie Primary School suffers from MS, and it is a really fantastic effort to see these Lesmurdie students supporting their teacher and this program in this way. I congratulate each and every one of them.

I would also very much like to recognise and acknowledge the wonderful efforts of students from Ashburton Primary School, Gosnells, in my electorate of Hasluck. Twenty-five year 7 students were invited to perform for elderly and disabled people who attend the Southside Care Day Centre. The invitation was issued by the centre through teacher Nelomi Ranasinghe. The school was absolutely delighted to respond with a song and dance routine and puppetry and clown performances. The year 7 students finetuned their song and dance routine during drama classes before putting on their excellent performance before the audience at the Southside Care Day Centre. The elderly and disabled audience had a truly wonderful time, joining in the dancing, singing and revelry with the students. I congratulate the community spirited year 7 students from Ashburton Primary School, Gosnells.

These examples of community interaction help to build the values base of our society and should be strongly encouraged. All too often we hear the negatives about our young people, and we should be ensuring that at every opportunity we highlight the wonderful contribution they make as an example to others. (Time expired)

The SPEAKER—Order! It being 5 pm, the debate is interrupted.

House adjourned at 5.00 pm
NOTICES

The following notices were given:

Mrs Hull to move:

That the House:

(1) supports the Australian aid program’s focus on eradication of corruption in developing countries;

(2) supports the Australian aid program’s efforts to overcome the impact of poverty and corruption and to strengthen democratic institutions by promotion of good governance with specific reference to women and children in developing countries;

(3) calls on the Parliament to encourage the Australian aid program to promote the human rights of, and the elimination of discrimination against, women and children in developing countries, in activities that:

(a) support the elimination of gender-based discrimination—such as land, inheritance and property rights, family law, gender-based violence and discrimination in employment; and

(b) support equitable access (including legal representation) for women and children to the legal system.

Mr Laurie Ferguson to move:

That the House:

(1) notes with grave concern several reports from Amnesty International about the unabated killing of political activists in the Philippines, which, according to reports, includes up to 716 political murders and 176 political disappearances since Mrs Arroyo came to power in January 2001, with victims including political party regional leaders, clergy, church workers, lawyers, journalists, trade union and farmer union leaders, human rights monitors, 43 children and Bishop Ramento of the Philippines Independent Church;

(2) notes the statements by Amnesty International that these unabated killings share similar characteristics, including the political affiliations of the victims, the methodology of attacks, and reports that the armed forces or other state agents have been directly involved in the attacks, or have consented to, or been complicit in them;

(3) notes that Amnesty International considers there is a persistent pattern of failure to conduct prompt and effective investigations which lead to the arrest, prosecution and conviction of those responsible;

(4) notes that the Government of the Republic of the Philippines is duty-bound to protect the right to life of every individual in the country, irrespective of their background or political affiliation, and calls on the Government of President Arroyo to take urgent action to stop the political killings; and

(5) calls on Foreign Minister Alexander Downer to convey its condemnation of these political killings and its call for urgent action to stop these killings; and

(6) calls on Foreign Minister Alexander Downer to elicit a formal response from the Philippines Government.
STATEMENTS BY MEMBERS

Beyond Home Program

Mr MURPHY (Lowe) (9.30 am)—According to a report by Marie Sansom in today’s Inner-West Weekly, Beyond Home, a project funded by the Department of Veterans’ Affairs and run under the auspices of Inner West Neighbourhood Aid, will end next week due to a lack of recurrent funding. Beyond Home is a wonderful program which has provided transitional care services for veterans and/or family members in Sydney’s inner west who are transferring from home and into aged care.

Moving from one’s home of many years can be a difficult thing for all of us, let alone the frail, elderly or those without family support structures. Beyond Home is a unique service that provides members of our ex-service community with practical and emotional support, be it information that allows informed decisions to be made, purchasing furniture for a new home or visiting members to calm their nerves while settling into their new environment. For all intents and purposes, Beyond Home workers walk hand in hand with the person during a transition period that could otherwise distress or overburden them.

My attention has been drawn to the case of a local constituent, Rita Robinson, who is 87 years of age and partially blind. She has had to uproot her entire life to move into a nursing home and has openly admitted she could not have done so without the assistance and support of her Beyond Home volunteer. I understand that Ms Robinson and her volunteer have since forged a strong friendship. We are all required to be mindful of those within our communities who require our assistance and support. It is important for those of us who do enjoy the good life in Australia to help those who, for whatever reason, need our practical or emotional backing. Such a philosophy also extends to the government when it is running record budget surpluses and can clearly continue to fund this unique and important program.

Australians have long placed considerable stock in the values of mateship and social justice, and those involved with Beyond Home have brought great credit to these values. When announcing funding for this program in 2004, the then Minister for Veterans’ Affairs stated:

Australia owes a debt of gratitude to its veterans and service personnel for their service and sacrifice in times of war and conflict and their continuing contribution to our community.

Never has a truer word been spoken. I would be grateful if the department could investigate extending this debt of gratitude by providing further funding for the Beyond Home project. I also placed question No. 4934 on yesterday’s Notice Paper for the minister’s attention and, given the budgetary pressures on Beyond Home, trust that the minister will address the matter raised as soon as he can.

In speaking on this matter, I have not intended to merely strike at the heart of securing more funding for Beyond Home; I have sought to bring to the attention of those here today the need for ongoing support, be it financial or otherwise, for this and the many other worthy projects in our communities which are undoubtedly valued but whose work may sometimes be forgotten or taken for granted.
World AIDS Day

Mrs MAY (McPherson) (9.33 am)—Tomorrow, 1 December, is World AIDS Day. It is a day which I hope will very much raise people's awareness of one of the biggest development and security challenges facing the world today. The latest figures available indicate that there are an estimated 38.6 million people living with HIV and an estimated 4.1 million will become newly infected. Although AIDS is believed to have peaked, some countries are bucking the trend. A notable and worrying exception is Australia’s very close neighbour Papua New Guinea, which has the highest incidence of HIV-AIDS in the Pacific with 115 new cases a day. Reports suggest there are between 32,000 and 140,000 people living with HIV in PNG. These estimates are very rough, as the real prevalence of HIV-AIDS is unknown—not enough people are being tested in PNG. For example, last year only 4,000 people were tested out of a target of 50,000.

PNG has reached a critical point where HIV-AIDS is now a generalised epidemic in both urban and rural communities, in both male and female, in both young and old, and threatens to be an epidemic of similar proportions in sub-Saharan Africa. If the disease grows at the current rate, by 2010, 1.2 million people in PNG will have HIV-AIDS and almost all of those people will be from the workforce, leaving a disproportionate number of dependent old people and children. Already over 60 per cent of occupied beds in Port Moresby General Hospital are for HIV related illnesses, with PNG losing many of its young and able people, the most affected group. Two other most affected groups are females between the ages of 20 and 30 and males between the ages of 20 and 40.

Sexual violence and gender inequality increase the vulnerability of women to the disease as it is difficult for women to negotiate sexual relations and condom use. It is estimated that between 1,500 and 4,500 pregnant women in the country were HIV positive in 2003, potentially passing on the virus to some 1,400 babies during birth or breastfeeding.

Globally, with 65 million infected to date and nearly 25 million people already dead, AIDS is one of the greatest development and security issues facing the world today. The challenge it presents to the Pacific region requires exceptional ongoing leadership. We know full well what disaster awaits if the response to AIDS continues to be inadequate. On the eve of World AIDS Day, I want to remind those closer to home and those here at home—young Australians—that they are playing with fire if they have casual sex without a condom.

Education

Mr SAWFORD (Port Adelaide) (9.35 am)—Prior to coming to Canberra I was involved in education in schools for almost 25 years as a primary school teacher, an education consultant in primary methodology, a school principal and a president of the Adelaide Metropolitan Principals Association. I can teach. I can run a school and I influence my peers to aspire to higher levels of performance. Unlike almost any other profession, everyone has an opinion on education, many declaring themselves experts based on only their own personal involvement. They are usually and consistently wrong.

During my educational and political career I have met, listened to and read the narrative of some of the most stupid people in Australia on educational issues—the pity being that so many of them hold such senior positions in education. Vying for top positions has heightened the educational idiocy of many in the educational faculties of our universities, of state educa-
bureaucrats and their state political controllers and of the personnel of both houses in our national parliament. There are some common failings: a lack of a sound educational rationale, a lack of commonsense and a lack of an identifiable and coherent set of educational outcomes. I note with great sadness the void of national educational leadership in both the House and the Senate at the executive level of government and opposition for the last 20 years.

In this parliament, education requires, in the national interest, bipartisan support. As we slip ever further downward in OECD surveys and international comparisons, education flounders and splutters in an ever-increasing morass of confusion. The parliament, under the influence of its respective executives, treats education as an opportunity to divide, distract, divert, wedge, engage in pointless one-upmanship and generally act at a crass lowest-ever common denominator level. In almost 20 years I have never heard what would even be close to an inspirational speech on education in this place from a senior member of government or opposition. More often than not, the opposite is true. That is a national tragedy and that is the major reason why education in this country at all levels has slumped into a most unsatisfactory one-size-fits-all category.

Primary and secondary schools are deliberately disadvantaged in this country at both public and private levels. Public education is white-anted. Senior secondary schools and universities so jealously protect their undeserved privileges by comparison with primary and junior secondary schools that they deliberately opt out of leadership that could reform and return education in Australia to a fair, sensible and quality system.

There are some saving graces. There are the teachers and principals in our schools who quietly and effectively filter out the educational claptrap and get on with tried and proven educational programs. However, I get the impression that their numbers, particularly at the principal level, are diminishing. Secondly, there is the House of Representatives Standing Committee on Education and Vocational Training, which, over the last 18 years, has been the only real forum for proper debate for education in this country. (Time expired)

Iraq

Mr BRUCE SCOTT (Maranoa) (9.39 am)—I rise to continue my comments on the motion moved in the House by the member for Ryan on Monday. Extremist Islamic groups like Jemaah Islamiah—JI—would have their popularity propped up through a supposed victory if troops leave Iraq before the job is finished. I remind this chamber of the 92 Australians and the 245 other people who died as a result of the JI terrorist attacks in other parts of the world. These were in Bali in 2002 and 2005, the Marriott Hotel attack in Jakarta in 2003 and at the Australian Embassy in Jakarta in 2004.

I want to highlight to the chamber the incredible job that our Australian troops are doing in Iraq. The fact that troops have been able to withdraw from the Al Muthanna and Dhi Qar provinces is a positive sign. Now troops are supporting the Iraqi security forces in these two provinces. They are also assisting in preparing and training the Iraqi army to be able to operate independently in the future.

I was privileged to visit Iraq about 12 months ago as part of my role as Chair of the Defence Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade. I saw these young Australian men and women in action. They are very proud to be part of the
rebuilding of Iraq. I have nothing but admiration for the men and women of the Australian Defence Force. They are doing an absolutely outstanding job.

It is crucial that the Australian Defence Force remain in Iraq to assist in the creation of a democratic and free society—a society in which its people adhere to the rule of law, are tolerant of other people’s beliefs and can live safely without fear for their lives. Extreme Islamic groups reject this concept of a society and have used and will use indiscriminate violence in the future, unless we continue to remain in Iraq and help Iraq to determine its own future. Not only will keeping Australians troops in Iraq until the job is completed benefit the people of Iraq; it will benefit the wider community by not allowing extreme terrorist organisations to grow and cause more bloodshed and heartache to many innocent families across the world.

I conclude by saying that the tragic news of the Black Hawk accident off Fiji overnight reminds us all of the dangers that our men and women of the ADF face as they operate and train on a daily basis. I hope, as the search goes on for the missing soldier, that it is successful. I extend my sympathies to all those who have suffered as a result of the accident overnight. (Time expired)

**Merchant Mariners Memorial Service**

Ms HALL (Shortland) (9.42 am)—On Saturday, 3 December, at 11.15 am, the 11th memorial service for merchant mariners will be held at Norah Head. This service is held on the first Saturday of December every year at the Norah Head Merchant Mariners Memorial to commemorate the significant role played by merchant mariners on the Central Coast in defending Australia during World War II. I have invited interested people to attend the service to remember and honour the invaluable service of merchant mariners. During the war, one in nine merchant mariners perished. We must all recognise the debt that all Australians owe regarding the great contribution made by our merchant mariners.

The service holds special significance for families and friends of those mariners who died when the MV *Nimbin* sank after striking a mine on 5 December 1940. The *Nimbin* was the first vessel to be sunk by enemy action off Australia’s east coast in World War II. In fact, we will have two survivors, Don Burchell and Mick Harris, from another ship that sank in local waters in 1942, the SS *Iron Chieftan*.

The *Nimbin* had struck a mine laid days before by the German raider *Pinguin*. Seven of the crew of 20 of the *Nimbin*, including its captain, Captain Byzantson, went down with the ship. On Saturday, the coastguard from Sydney Harbour, Cottage Point-Hawkesbury River, Swansea and Tuggerah Lakes, Terrigal Sea Rescue, Norah Head Search and Rescue and Hawkesbury River VRA, along with New South Wales Maritime and possibly the Water Police, will be in attendance.

The ceremony this year will be very special because a flotilla of boats will be assembled off the headland at Norah Head. The boats will move to the position where the MV *Nimbin* sank, place a wreath on the water and observe one minute’s silence. The service will be broadcast to ships up and down the coast of New South Wales. I would encourage people to attend, as I feel it is very important that Australians recognise the significant heroism of merchant mariners during World War II.

I would like to thank all those who have been involved in organising this service, particularly Graeme Bissaker from Tuggerah Lakes Volunteer Coast Guard, as he has been instru-
mental in helping to arrange for the coastguard to be located off Norah Head; members of the Merchant Mariners Organising Committee; the Norah Head Lighthouse Trust; Lyndal Bailey from the Gorokan High School band; the coastguard chaplain, Brian Jago; Father Hessey; the Gorokan High School band; Gregory Gould, who will be singing the national anthem; the Hawkesbury VRA; Lakes Anglican Grammar School; Malcolm Wright from the RVCP; Manner ing Park Sea Scouts; the Maritime Union of Australia; Norah Head Search and Rescue; NSW Maritime; Soldiers Beach Surf Life Saving Club; Terrigal Sea Rescue; Toukley RSL Club Ltd; Toukley RSL Pipes and Drums; Toukley RSL Sub-branch; and Wyong Shire Council. (Time expired)

Bonner Electorate: Bayside Water Action Group

Mr VASTA (Bonner) (9.45 am)—I rise this morning to bring to attention an important water-recycling project that I am currently working on with the bayside community in Bonner. This project is not only helping to unite the Wynnum-Manly community but encouraging local residents, organisations and schools to think more carefully about how we can conserve and recycle our precious water resource together. Mr David Seeley from the Wynnum Golf Club and Mr Stan Plath from the Wynnum-Manly Leagues Club are two outstanding community leaders who share a genuine concern for our environment and the impact of current water restrictions and water shortages. In October this year Mr Seeley approached me with plans for an initiative which would see recycled water used to irrigate bayside parks and sports fields through a purpose-built pipeline. It is a plan that I believe can indeed be made possible, but it requires the full support of not only the community but each level of government.

The bayside of Brisbane is a diverse but unique community, home to many local clubs, sports and school fields and community based organisations. Water is of course a resource in major demand, not only for basic necessities but for larger-scale irrigation. With the ever-decreasing supply of readily available water, the community is becoming increasingly concerned about the future health of local sport and club fields, parks and the like. It is this concern that led Mr Seeley and Mr Plath to join with me and representatives of the community in forming the Bayside Water Action Group, which will focus on driving towards this water recycling project. Essentially, we will work towards raising and obtaining the funds to construct a pipeline to run from the local Wynnum-Manly waste water treatment plant through to the bayside so that the community organisations, clubs and schools in this region can all utilise recycled water.

At present, the Wynnum waste water treatment plant is pumping out eight megalitres of water per day. While seven of those megalitres are accounted for, one megalitre is still available. If we can find a way to harness this recycled water for use by the community clubs, the bayside could play a vital role in saving our water resource. As the plant expands, more recycled water will be made available to the project and, in turn, the community will benefit further. Brisbane City Council has already been briefed on the project and a number of representatives from the water department are working with the Bayside Water Action Group to develop a detailed proposal. Letters have been sent to the Lord Mayor and to my state colleague the Hon. Paul Lucas urging support for the project and assistance to make this proposal a reality for the bayside community. I am committed to pushing this water project forward and I will be working with the Bayside Water Action Group to submit an application for funding for
the pipeline under this government’s WaterSmart program. I assure Mr Seeley and all members of the action group of my full support. (Time expired)

**Postcard from Lombok**

Ms BURKE (Chisholm) (9.48 am)—Today I want to read a postcard from Lombok from a friend and colleague of mine, Val Campbell:

When writing about the Afghan Asylum Seekers stranded in Lombok, Indonesia, I am not referring to the past or providing detailed information about how they came to be there. This has all been covered in documents which are all available in the Internet ... especially the transcript of the Four Corners program and other progress reports on Australia’s and IMO supervision of these people. Particularly graphic are the reports, which outline the failed attempts of these desperate people to reach asylum in Australia and their subsequent five-year detention in a camp/compound in Lombok. Whilst these people are not behind bars and razor wire, they are effectively economically imprisoned by their inability to leave the island and not being permitted to work. These background documents make fascinating and heart-rending reading and explain in detail the horrifying experiences that these people have survived. I write this as a refugee support activist and a volunteer at the Asylum Seekers Resource Centre in Melbourne where I teach English to people new to Australia who are on temporary protection visas and thus denied government funded English lessons. There are 55 Afghans, 43 Iraqi and 21 Vietnamese in Lombok at the time of writing. Of the 54 Afghans, 15 are children aged from one — 14 years. There and many more Afghan and Iraqi asylum seekers in Jakarta, plus 107 from Sri Lanka, 14 from Burma.

She goes on:

Regarding life in Mataram, I was advised that the first year there was pretty awful, as the Lombokians although Muslim were quite hostile as they feared the asylum seekers, particularly I guess because of the shortage of work in Lombok. But over time they have come to recognize that these are good living, non-violent people, who cannot attempt to take jobs, the locals are pleasant and quite supportive of the camp people. Also the Afghans have learned the Indonesian language, and people in Lombok appreciate it if you converse with them in Indonesian. The camp is not far from the large Mataram market where the daily food is obtained, so there is some social interaction with locals in the market situation. People in the camp live mostly on rice, a little vegetable, and occasionally a little fish, chicken or meat. Some families make their own Afghan-type bread. Most families have a little gas cooker, some have an old refrigerator, and a little furniture, but mostly people sit and sleep on the floor.

How are they living? Val writes:

International Organization of Migration (IOM) who is paid by the Australian Government provides the basic accommodation. The Afghan people receive a few large bottles of water per family each week ... They receive a few $USD a week for food.

But, since it costs money to send their children to school, a lot of this money is consumed in educating their children. They live on a very basic subsistence of two meals a day. They have very little furniture and the living conditions are far from the hotel accommodation that some in Australia like to say these refugees in Indonesia are surviving in. Val ends by asking why these people cannot come to Australia. Most of them have family, relatives, here. Most of them have skills that are needed here. Why can’t they come to Australia to work? Why are they stranded in this no-situation in Indonesia? She says:

They deserve better. They are not queue jumpers, there was no queue to join. They are genuine asylum seekers who have risked their lives more than once to find a safe and better place for themselves and their children. It is simply absurd that Australia continues to pay the IOM to keep these people out of Australia and even more disgusting that they would offer money to encourage them to return to unsafe
home countries. The Lombok asylum seekers must be supported to come to Australia to be with their families and other people who have fled intolerable situations in their home country.

(Time expired)

Oil for Food Program

Mr Johnson (Ryan) (9.51 am)—This week Commissioner Terence Cole delivered to the parliament his findings after a year of investigation into the alleged conduct, impropriety and illegality of the AWB. His report was tabled this week. Of course, as members of the government and members of the executive contended all along, they were innocent of any alleged illegality, impropriety or constructive knowledge of the illegality of the AWB company.

This is not satisfactory to the federal opposition. I believe that the Leader of the Opposition and, in particular, the shadow foreign minister should hang their heads in absolute shame after a year of seeking to tarnish the good name and reputation of members of the government and, in particular, Foreign Minister Downer, the Prime Minister and Deputy Prime Minister Mark Vaile. They should hang their heads in shame for seeking to smear the honour and the reputation of distinguished Australians serving their country as members of the government. I want to quote what Commissioner Cole said:

There is no evidence that any of the Prime Minister, the Minister for Foreign Affairs, the Minister for Trade or the Minister for Agriculture ... were ever informed about, or otherwise acquired knowledge of, the relevant activities of AWB.

These are the words of Commissioner Cole, a very distinguished lawyer and a very distinguished former judge of a superior court of this country, making it absolutely clear that the Prime Minister, the foreign minister, the trade minister and the agriculture minister had no reason to have any information about the alleged activities of the AWB. Of course, the allegations coming from the federal opposition—allegations of corruption, bribery, dishonesty, deceit, cover-ups and immorality—are absolutely untenable to remain unchallenged in this post-Cole climate. We must continue to defend our names and our honour.

I know the ALP does not like the findings of the Cole commission, but we must remember that this was a royal commission. It had all the powers of a royal commission, including powers of subpoena—indeed, powers of subpoena to the effect that the most sensitive documents of departments came before it. It was fully transparent. The Prime Minister of this country gave evidence. The foreign minister of this country gave evidence. The Deputy Prime Minister of this country gave evidence. And, after a long period of forensic and clinical investigation, the Cole commission cleared the Howard government. It cleared the names of the foreign minister, the trade minister and the agriculture minister, yet the character assassinations of the Labor Party continue. You cannot attack people’s reputation without substantial evidence, and the Labor Party should hang their heads in absolute shame. (Time expired)

Second Sydney Airport: Badgerys Creek

Mr Hayes (Werriwa) (9.54 am)—In the chamber on Monday afternoon the member for Lindsay once again attempted to perpetuate the myth that the Howard government has no plans for a second airport in Sydney. I cannot help but wonder how exactly she arrived at that conclusion, because the Howard government continues to use weasel words when it comes to answering questions on the future of the land reserved for the Badgerys Creek airport. The Howard government is known for the use of weasel words—words that allow it to get around
anything that suits it, and Badgerys Creek is no exception. Rather than being clear with local residents and saying once and for all what is going to happen with the land, the Howard government persists with its use of weasel words.

In August last year I asked the minister for transport about the plans the government had for the Badgerys Creek site and the reasons for its ongoing planning restrictions. Not until 30 May this year—some nine months later—did I get an answer that was full of the government’s weasel words. The minister said this: ‘The government has previously made it clear that it does not believe that a second airport will be needed in the foreseeable future.’ The key words are ‘the foreseeable future’. The minister did not say what the foreseeable future was. The minister did not give good reasons for not lifting the planning restrictions, for why double glazing of windows and additional insulation is used and still being required of local residents or for why residents of Western Sydney should continue to face the uncertainties they do.

Federal Labor has made it clear that, when it comes to Badgerys Creek, the airport will not be built. The only conclusion I can draw from the use of the words ‘foreseeable future’ is that buried somewhere deep in the Prime Minister’s bottom drawer is a plan to build Badgerys Creek airport. If the government does not have a plan to build the airport, it should remove the planning restrictions. Later today the Western Sydney Alliance will be meeting the shadow minister for transport, Kerry O’Brien, me and other Western Sydney Labor MPs to highlight the impact of the ongoing planning restrictions. The feelings of local residents were well and truly vented at a recent meeting that I attended at the Kemps Creek Public School. These feelings of local residents will certainly be made clear when the alliance meets in Canberra today.

As the member for Macarthur said recently when asked about the government’s plan for Badgerys Creek, ‘We are in government to govern, but no-one wants to make a decision.’ No truer words have been spoken by the member for Macarthur, and on this occasion I stand here to say that I fully agree with his synopsis of this government’s actions, or lack of actions, when it comes to Badgerys Creek. (Time expired)

**Gilmore Electorate Office: Work Experience**

**Mrs GASH** (Gilmore) (9.57 am)—The House would realise that we have a number of work experience people come through the offices in Gilmore. These are the words of one such young lady:

My name is Naomi Cockerill and I am 19 years old. I live ... in Bathurst.

I am currently completing the final stages of a Diploma in Communication and Media at TAFE NSW—Western Institute Bathurst Campus. I am hoping to attend Charles Sturt University and complete a Bachelor of Arts (Communication—Journalism) and then hopefully begin work as a political journalist. I have recently become interested in foreign correspondence when a teacher suggested I would be good at this. Further research on this branch of journalism has caused me to possibly consider it as a career option. However my main interests still lie within Australian politics and working in a politician’s office would be one of the ultimate successes for me as a journalist.

My parents, along with two of my sisters, drove me to Nowra. The trip was about eight hours long and very tiring. However once I started working at Joanna’s it was well worth the journey. I am so grateful that I was given this opportunity; I didn’t even care that I travelled for nine and a half hours on three trains and a bus to get back to Bathurst.
I became interested in politics at age 15, when I was assigned the task of playing Gough Whitlam in a debate. I have always wanted to work in a politician’s office to gain an insight into the daily workings of a politician’s life. I was ecstatic to learn that I was going to have the opportunity to travel to Nowra to work at Joanna Gash’s office.

Working in Joanna’s office taught me a lot. Firstly, I have learnt that when you work in a politician’s office there is a lot of folding, collating and envelope stuffing that has to be done. Although this is not the most exciting job, it has to be done and while folding pamphlets I had the opportunity to listen and observe the inner workings of the office, which is something I would not have missed.

This leads me to my next point; the staff of a politician has a lot of work to do. Joanna’s staff is always working hard organising events, writing press releases, helping the people of Gilmore and quite often people that are not even in their electorate. There is never a moment to rest when you work for Joanna; she loves to get involved in everything she possibly can (to her credit). However, the staff is always willing to help anyone that calls or comes into the office in any way they can. I hope that if some day I have the opportunity to work in a politician’s office, the staff will be as hard working and dedicated as Joanna’s.

I have attended a number of meetings and functions with Joanna and had the opportunity to meet a lot of people that are involved in politics and the media; this has been invaluable to me as I have been able to talk to people in the industry I am hoping to work in. Talking to these people has allowed me to learn about the ins and outs of being a journalist and I have been able to see first hand how they work.

To work in this occupation, I have discovered quite quickly that you need to be dedicated to your job. Getting up early and working until late at night is not unusual. Many unexpected twists can occur when planning an event and the ability to be able to accept this and work out a solution is vital to making this office run smoothly.

Cooperation is a fundamental necessity when it comes to working in this office. The staff help each other whenever they can to make each other’s work-load a little lighter. These people are dedicated to giving Joanna as much coverage as she can get and should be commended on the excellent work that they do, it is not an easy job.

As well as folding pamphlets and stuffing envelopes, I was given the opportunity to do a lot of things in the media section of her office. I did a lot of research on issues such as the current nuclear energy debate and the rising interest rates. I went to an oyster farm at Shoalhaven with Joanna to do a photo shoot with the owners of the farm. The opportunity to get practical experience is something that has been invaluable to me as it has confirmed that journalism and politics are my passion and the career I definitely wish for myself.

(Time expired)

The DEPUTY SPEAKER (Hon. IR Causley)—Order! In accordance with standing order 193 the time for members’ statements has concluded.

ENVIRONMENT AND HERITAGE LEGISLATION AMENDMENT (ANTARCTIC SEALS AND OTHER MEASURES) BILL 2006

Debate resumed from 27 November.

Second Reading

Mr HUNT (Flinders—Parliamentary Secretary to the Minister for the Environment and Heritage) (10.01 am)—I present the explanatory memorandum to the bill and I move:

That this bill be now read a second time.

The Antarctic Treaty (Environment Protection) Act 1980 gives effect to Australia’s obligations under the Protocol on Environmental Protection to the Antarctic Treaty—the Madrid protocol of 1991, of which Australia was a principal architect. The Madrid protocol afforded significantly increased protection to the Antarctic environment.

Measures giving effect to Australia’s obligations under the Convention on the Conservation of Antarctic Seals 1978 are currently embodied in the Antarctic Seals Conservation Regulations 1986, which means that penalties for offences can only be set at a low level.

This bill transfers the seals related measures in the existing Antarctic Seals Conservation Regulations 1986 into the Antarctic Treaty (Environment Protection) Act 1980. Seals and whales are the only two families of mammals native to the Antarctic. Whales are already protected under the provisions of the Environment Protection and Biodiversity Conservation Act 1999. The bill increases the penalties for seal related offences to bring them into line with other wildlife related penalties in the Antarctic Treaty (Environment Protection) Act 1980. Taking seals for commercial purposes will remain prohibited.


In addition to the pecuniary penalty already available, the bill introduces a maximum imprisonment penalty of 16 years for mining in the Antarctic. The ban on mining is the key feature of the Madrid protocol and the severity of the proposed penalty reflects the seriousness of this offence as well as the degree of premeditated planning required to commit such an action.

In recognition of the high scientific value of meteorites found in the Antarctic, the Antarctic Treaty Parties in 2003 agreed to a measure to protect them from uncontrolled collection. The bill implements this agreement by requiring a permit to collect meteorites or to remove meteorites or rocks from the Antarctic. Collecting rocks and meteorites under a permit is exempted from the restriction on mining activities.

The bill will also extend to individual animals the protection afforded by the Antarctic Treaty (Environment Protection) Act 1980 to seals and birds in concentrations of more than 20.

As a precaution against the introduction of non-native organisms and diseases to the Antarctic environment, the bill includes the requirement for a permit to re-introduce a native bird or seal to the Antarctic. Such a permit would set appropriate conditions for the safe re-introduction of a native animal. This requirement would apply, for example, to the return to the Antarctic of a vagrant individual or a specimen from a zoo.

The bill also adjusts other penalties throughout the Antarctic Treaty (Environment Protection) Act 1980 to better reflect the hierarchy of offences, and to more closely align them with penalties for similar offences under the Environment Protection and Biodiversity Conservation Act 1999.

Finally, the bill will amend the Water Efficiency Labelling and Standards Act 2005 to allow a WELS standard to be incorporated by reference into a determination that relates to a particu-
lar WELS product, and make another minor amendment to correct a drafting error regarding the definition of offence against this Act.

In particular, I want to take this opportunity to congratulate not only the Department of the Environment and Heritage but also the Minister for the Environment and Heritage and his staff on this work. The minister has been a champion of Antarctic species mammals protection. It has been one of the defining elements of his period as environment minister, and at present he is one of the world’s leading conservationists for marine mammals. I believe that the extension of the Antarctic seals protection measures embodied in this legislation is an appropriate step forward and also a symbol of the commitment which he and the government have towards the protection of Antarctic mammals and marine mammals in general. I am delighted to commend this legislation to the House.

Mr ALBANESE (Grayndler) (10.06 am)—The Australian Labor Party support the Environment and Heritage Legislation Amendment (Antarctic Seals and Other Measures) Bill 2006. We do have, however, deep concerns about the government’s approach to environmental protection. The Howard government has delivered one extreme bill after another, each one designed to trample on environment protection measures. So it is a small relief to find a bill that we can actually support. The rule seems to be to introduce bills that roll back environmental protection, but this bill seems to be the exception. Maybe the influence of the Parliamentary Secretary to the Minister for the Environment and Heritage has brought about this result.

The Environment and Heritage Legislation Amendment (Antarctic Seals and Other Measures) Bill 2006 transfers the protection of seals in the Antarctic Seals Conservation Regulations Act 1986 to the Antarctic Treaty (Environment Protection) Act 1980. This enables penalties to be imposed which are in line with other wildlife related offences and to meet Australia’s obligations under the Protocol on Environmental Protection to the Antarctic Treaty, commonly known as the Madrid protocol. The bill also amends the Water Efficiency Labeling and Standards Act 2005 to enable a determination by incorporation of a reference to the water efficiency and labelling standards. It also makes other minor drafting amendments. I note that Senator Ellison in his second reading speech stated:

In addition to the pecuniary penalty already available, the bill introduces a maximum imprisonment penalty of sixteen years for mining in the Antarctic. The ban on mining is the key feature of the Madrid Protocol and the severity of the proposed penalty reflects the seriousness of this offence as well as the degree of premeditated planning required to commit such an action.

In recognition of the high scientific value of meteorites found in the Antarctic, the Antarctic Treaty Parties in 2003 agreed to a measure to protect them from uncontrolled collection. The bill implements this agreement by requiring a permit to collect meteorites or to remove meteorites or rocks from the Antarctic. Accordingly, it will also be an offence for a person to remove a meteorite or rock collected in the Antarctic. Collecting rocks and meteorites under a permit is exempted from the restriction on mining activities.

The bill will also extend to individual animals the protection afforded by the Antarctic Treaty (Environment Protection) Act 1980 to seals and birds in concentrations of more than 20. Those measures are fine, but the real issue is the Howard government’s environmental performance. The problem with the inadequate performance of the government is best illustrated by the amendments currently being proposed to Australia’s main environmental law—the Environment Protection and Biodiversity Conservation Act. This bill shows how arrogant the
government is when it comes to environmental protection. Let us not forget there was no exposure draft and no environmental heritage groups were consulted about the bill. The 409-page bill was introduced in the House on the Thursday and debated the following Wednesday. The bill was debated in the House without a Bills Digest and before submissions had even been received for the Senate inquiry.

Senator Carr, Labor’s representative on the Senate inquiry into the bill, was given only eight minutes to question each witness. WA Liberal senator David Johnson got it absolutely right when he told the Senate on 18 October 2006 that the explanatory memorandum for the bill:

… is probably one of the most appalling I have ever seen in the short time I have been in the Senate. It discloses no motivation, no reasoning and no justification for some of the most draconian powers that this parliament can conceivably and possibly enact: rights of search and seizure without warrant and rights of personal frisking without warrant.

… this legislation should go back to the drawing board.

It is of particular concern that we have the extraordinary position that the EPBC Act has 733 pages and the bill has 409 pages of amendments, and yet we have no reference whatsoever to climate change as part of the legislation or the amendments.

The other issue that is worth addressing, given the relevance to the bill currently before the House, is the protection of whales. There is a profound irony that the environment minister uses the EPBC Act as his personal political plaything but runs a mile from it when it is all too hard. Just have a look at the Australian Whale Sanctuary. The EPBC Act provides for the establishment of an Australian whale sanctuary to:

… give formal recognition of the high level of protection and management afforded to cetaceans (whales and dolphins) in Commonwealth marine areas and prescribed waters.

It is a legally-binding safe haven for whales, and what has the Howard government done with these powers? Absolutely nothing.

It is tragic that more whales than ever before have been slaughtered in the Australian Whale Sanctuary since it was established because the Australian government has refused to enforce the EPBC Act. It has also refused to take legal action. Indeed, when the HSI took legal action to enforce the EPBC Act, the Attorney-General intervened in the court case. In his submission, he said:

It would create a diplomatic disagreement with Japan.

Japan are our friends, but we do have a diplomatic disagreement when it comes to whales and when it comes to the failure to enforce the Australian Whale Sanctuary.

In conclusion, the Labor Party supports the bill before the House, but we do have very deep concerns about the government’s approach to environmental protection. There is, of course, no more important issue than the issue of climate change, and this is a government that is failing to address the greatest challenge facing the global community in the interests of not just this generation but future generations to come.

Ms HALL (Shortland) (10.12 am)—I share the concerns that the shadow minister has about the government’s approach to environmental protection. I believe that the government’s action in relation to climate change is flawed. It is letting the Australian people down in rela-
tion to introducing initiatives to address climate change and in its failure to sign the Kyoto agreement. In the last week that the parliament was sitting, we debated the environment and heritage amendment legislation, which the government argued was to address the balance between the environment and development. I believe it removes the balance; it moves it away from the environment and towards development. These are two examples of how the government has failed to give real protection to the environment, protection for which the Australian people look to the government.

The Environment and Heritage Legislation Amendment (Antarctic Seals and Other Measures) Bill 2006, which we are debating today, transfers the protection of seals from the Antarctic Seals Conservation Regulation 1986 to the Antarctic Treaty (Environmental Protection) Act 1980. It also makes some minor amendments to the Water Efficiency Labelling and Standards Act. It enables penalties to be imposed which are in line with other wildlife related offences and it allows Australia to meet obligations under the Protocol for Environmental Protection to the Antarctic treaty, the Madrid protocol. The bill removes the protections given to seals under the Antarctic environmental protection act, whilst whales remain protected under the Environment Protection and Biodiversity Conservation Act, the EPBC Act—and I will talk a little more about that in a moment.

The bill also creates new offences relating to the removal and collection of rocks and meteorites from the Antarctic and updates offences in relation to the disturbance of Antarctic flora and fauna. They are very important initiatives, particularly given the fragile nature of the environment in the Antarctic. This is not a controversial piece of legislation and we on this side of the parliament are supporting it. As the shadow minister said, it gives us great pleasure to join with the government on an issue that deals with the protection of the environment.

Seals were previously protected under the Antarctic Seals Conservation Regulations 1986. Those came into effect because Australia was not supportive of the commercial sealing that was taking place—and this goes as far back as 1960. Commercial sealing was an industry that we had serious concerns about. The Convention for the Conservation of Antarctic Seals was set up to protect the six species of seals in the Antarctic: the southern elephant seal, the leopard seal, the Weddell seal, the crab-eater seal, the Ross seal and the southern fur seal. Seals are a species we really need to protect.

Article 7 of the protocol prohibits any activity connected with mineral resources other than for scientific research. The text of the protocol can be found in schedule 2 of the Antarctic Treaty (Environment Protection) Act 1980. Obviously the purpose is to avoid adverse impacts on the Antarctic environment.

The legislation also looks at trying to avoid adverse effects on climate or weather patterns. The attempts to look at addressing that issue are very important given the current environment. They are also very important given the fact that throughout the world we have very serious concerns about changes in weather patterns. It is very important for us as a nation and as a society to realise how important it is that we are very mindful of actions that can impact on the weather and on our environment. It also looks at ensuring that the fauna and flora are protected.

The protection of whales is an important part of the EPBC Act, which deals with the establishment of sanctuaries. While the act does establish sanctuaries, and government members are very supportive of the protection of whales, it is quite different when it comes to the en-
forcement of the act. So, while the act prevents the slaughter of whales, the government refuses to enforce the act. I find it quite disconcerting that on one hand members of the government promote the protection of whales while on the other hand they fail to enforce this protection.

In conclusion, I reiterate that it is so important that as a nation we protect our environment. If we do not care for our environment, we are not caring for our future. By having a sound, flourishing environment and protecting the global environment we are ensuring the future of not only our nation but nations throughout the world.

Mr Hunt (Flinders—Parliamentary Secretary to the Minister for the Environment and Heritage) (10.21 am)—in reply—In rising to conclude the debate on the Environment and Heritage Legislation Amendment (Antarctic Seals and Other Measures) Bill 2006, I want to thank those members who have spoken in the debate. The member for Grayndler presented, in his customary fashion, the opposition’s perspective. I refer in particular to the comments made by the member for Shortland, who gave a brief but moving eulogy on the importance of marine mammals, and I respect her commitment to these noble creatures.

The amendments to the Antarctic Treaty (Environment Protection) Act 1980 will significantly strengthen the government’s protection of the Antarctic environment by, firstly, incorporating the provisions of the Antarctic Seals Conservation Regulations 1986 into the Antarctic Treaty (Environment Protection) Act 1980. This will afford additional protection to seals in the Antarctic by enabling appropriate penalties to be set for seal related offences. Secondly, it will introduce new offences regarding the collection and removal of rocks and meteorites from Antarctica. Antarctica, as I have previously noted, is a particularly rich source of meteorites, which are scientifically important, as was highlighted only this year in a major international film. These amendments recognise the high scientific value of these meteorites and give effect to an Antarctic treaty measure prohibiting the collection of meteorites and rocks in the Antarctic.

Thirdly, the amendments introduce a maximum penalty of 16 years imprisonment for mining in the Antarctic, which will be additional to the pecuniary penalty already in the act of up to $110,000. The Environmental Protocol to the Antarctic Treaty prohibits activities related to mineral resources other than for scientific research. Because the ban on mining is a key feature of the protocol and any mining activity would require a significant amount of planning and resources, it is appropriate that the penalty for mining activities in the Antarctic be increased to reflect the serious impact that such activities could have on the sensitive Antarctic environment and Australia’s standing in the Antarctic Treaty system.

The bill also amends the Water Efficiency Labelling and Standards Act 2005. These amendments are required to enable the establishment of water efficiency labelling and standards for a product, to be incorporated by reference into a determination that relates to the WELS product, and make another minor amendment to correct a drafting error regarding the definition of offences against this act.

I conclude by making two points. Firstly, in relation to the view presented by the member for Grayndler that, whilst he welcomed the increased protection for marine mammals, he believed that there was still insufficient protection for whales, he has ignored the fact that the government has, under the EPBC Act, a strong and powerful criminal deterrent for inappropriate activities. This is a powerful regulation and enforcement mechanism, and we will not

MAIN COMMITTEE
hesitate to use it appropriately, as and when it comes up. Secondly, this is part of a broad push, led by the Minister for the Environment and Heritage, Senator Ian Campbell, to safeguard marine mammals not just within Australian waters, not just within the Antarctic, but on a global basis.

We make no apologies for the vigour with which we pursue our protection of marine mammals throughout the world. These creatures, whether they are whales or seals within our own waters or whales internationally, are a profoundly important part of the ecosystem and are also global environmental treasures. It is our task and our responsibility not only to conserve these species but also to let them grow and become a permanent feature and to never lose them for future generations. They are a fundamental part of our global biosphere, and we are proud to play a small role in ensuring that future generations have these animals as part of their global treasures. I am delighted to commend the Environment and Heritage Legislation Amendment (Antarctic Seals and Other Measures) Bill 2006 to the House.

Question agreed to.

Bill read a second time.

Ordered that the bill be reported to the House without amendment.

ADJOURNMENT

Mrs GASH (Gilmore) (10.26 am)—I move:

That the Main Committee do now adjourn.

Central Queensland University

Mr NEVILLE (Hinkler) (10.26 am)—The Central Queensland University is continuing to build on opportunities on all its campuses in the Central Queensland area with a great deal of benefit to the provincial cities which have those campuses. Two weeks ago, on 16 November, I had the honour of opening Bundaberg campus’s $4.7 million academic and research building, which is designed to further the university’s research activities into science, multimedia studies, interactive journalism and information technology. The Commonwealth has played a key role in funding the development of this infrastructure and research program at CQU and has contributed to the establishment of this new infrastructure through a $1.9 million allocation from the Capital Development Pool program. The remaining $2.8 million was contributed by CQU itself.

By helping to develop the campus research capabilities in the areas of science, information technology, multimedia studies and interactive journalism, the government is giving students even more reasons to consider studying in Bundaberg. As we all know, young people who do university courses in provincial areas are more likely to settle in provincial areas.

The new business will allow CQU to expand its number of courses, including nursing, science, environmental science, human movements, biology, chemistry and, of course, as I said, aspects of journalism. Two of the four dedicated research rooms have already been allocated to environmental research groups, with a full-time research fellow and a possible research assistant taking up residence. I must say that the major twin laboratory which I inspected was most impressive.

Bundaberg CQU campus is tangible evidence that a university does not have to be city based to provide facilities with top quality academic and research facilities. This new centre
will build on that reputation and will foster on-campus research, which has been growing in importance to the university in recent years. The Bundaberg campus has come a remarkably long way in a relatively short time, and there is no doubt that this new complex will prove to be a catalyst in the next phase of growth and service to the surrounding region.

I have been associated with the Central Queensland University from right back when it was the Capricornia Institute of Advanced Education. In fact, I was on the council of the university at the time when it went from an institute to a university college and then to a university, all in one three-year process. I can remember, too, its early foundations in Bundaberg, where I was on the original committee seeking a university for the city. Our plans were not quite for what has turned out today; they were overtaken by the Dawkins plan—which I commend, I might add—and it has meant a great step forward in the university’s development. To have come from 14 students in the old Christian Brothers college buildings to the university today with approximately 1,000 students and in such a short time is quite remarkable.

In today’s academic environment, access to state-of-the-art learning facilities is crucial to extending each student’s learning. By enhancing the campus’s research capabilities, CQU is giving its students the right tools for learning into the future. The university recognises the growing importance of continuing education and the need for people to be lifelong learners. Not too long ago I attended the opening of the campus’s information commons, which will provide easier access to online library databases along with multimedia and print resources. To see such a rapid expansion in development of local tertiary education resources is a great show of faith in regional Queensland and the people who choose to support CQU.

I commend the vision of CQU, the Vice-Chancellor, Professor Rickard, and its former heads of campus, Alex Grady and Helen Huntly, and their enthusiasm for partnering with the government to provide more opportunities to regional communities. Partnerships such as this prove that the Australian government is not just investing in bricks and mortar but in regional universities and in what they can do for those communities.

Mr David Hicks

Mr MURPHY (Lowe) (10.32 am)—This morning I wish to again raise a matter that should be of grave concern to any government which purports to espouse the values of freedom, liberty and justice. I speak about the continued incarceration of Mr David Hicks, who has been held in US custody for over five years.

In his Australia Day address on 26 January this year the Prime Minister rightly paid tribute to ‘the rule of law upheld by an independent and admirably incorruptible judiciary’. While many utilise those three words ‘rule of law’ as powerful rhetorical weapons, we ought to be concerned that their actions or inactions make a mockery of what those words actually stand for. We must never forget that one eminent principle emanating from the rule of law is that no free man or woman should be deprived of his or her life, liberty or property save by the due process of the law.

What, then, ought those with an undiminished belief in the rule of law make of David Hicks’s continued detention at Guantanamo? Perhaps we could gain some insight from the esteemed former Chief Justice of Australia, Sir Gerard Brennan, who has said that Australians should examine:
... how we have tolerated for five years now the barbarous treatment of the Australian David Hicks in Guantanamo Bay, still waiting to be charged, it seems, with an offence under a law yet to be specified, and tried by a process which mocks the civil rights sense of justice.

While the Howard government likes to talk about the rule of law, it has turned a blind eye to the US government’s erosion of judicial principles in the David Hicks case. While the Howard government likes to talk about upholding the rule of law, it has done little to seek natural justice for David Hicks.

One’s belief in the rule of law should be all pervasive. The rule of law ought to transcend the standards and behaviour found within any context, including the ‘war on terror’. We all loathe the thought of any Australian engaging in terrorist activities. We all detest terrorism. But the rule of law entails basic legal principles which any member of the Free World ought to adhere to. How can those who truly believe in a government of laws and not of men stand inert while David Hicks remains in detention without charge for years—not days or months?

How can they stand by while attempts are made to establish a military commission which could be conceived as being imbued with self-interest or a partisan duty to convict? What guarantees have the Hicks family been provided to allay their legitimate doubts that a military commission will exist and operate independently from, and in paramountcy to, the US government? How can those who truly believe in the rule of law allow David Hicks to potentially be convicted on evidence obtained by coercion, on evidence which he may not have seen or on hearsay, with no inalienable right to cross-examine? These rules and procedures do not emanate from an ‘independent and admirably incorruptible judiciary’ that the Prime Minister has previously spoken about so fondly.

These are not trifling matters, but they have been treated as such by members of the Howard government. Echoing the Fremantle declaration, I call on the Howard government to do far more than has been done previously to uphold these basic legal principles and to do so immediately. The continued imprisonment of David Hicks in these conditions is inhumane and an anathema to the very values that Australia stands for and seeks to promote worldwide.

In the light of the disgraceful responses I have received to my questions about David Hicks’s case on the Notice Paper, including questions Nos 2788, 2789 and 4109, I am now calling on the Attorney-General to respond immediately to my question No. 4924, which I placed on the Notice Paper on Tuesday of this week. Members would recall that in August this year the Attorney-General indicated that he wanted a new US military tribunal and fresh charges to be in place by November. The Attorney-General also indicated that if this did not happen ‘as quickly as possible’ he would be seeking Mr Hicks’s return in the same way he did with Mamdouh Habib. Given that this time frame has now elapsed, and bearing in mind that it is 30 November today, the Attorney-General must answer my questions as a matter of urgency, for not only me and the Hicks family but also all the people who are supporting this matter. It is no longer good enough to feign concern about the treatment of Mr Hicks and do nothing. That is hypocrisy of the worst kind.

**Australian Wheat Industry**

Mr WINDSOR (New England) (10.36 am)—As everybody is aware, the Cole inquiry came out this week and there are some enormous decisions that are going to have to be made over the next months in relation to the wheat industry. I spoke about it in a matter of public importance debate yesterday. One of the great concerns that has been raised since yesterday is
that the Leader of the National Party, Mark Vaile, has recanted on a commitment that he gave in Victoria last year that essentially put in place a poll of wheat growers regarding substantial changes that might be made in terms of the future of the wheat industry. I see this as a very dangerous arrangement that is being put in place. I would like to place on record the reasons that I do have concerns.

The Leader of the National Party is saying in today’s Land magazine that he will not consult with growers and he will not be carrying out a poll, even though last year he gave that commitment that he would, but he will consult with peak bodies. One of the peak bodies I imagine he will consult with is the Grains Council of Australia—and I was a member of that council before coming into this place. When the ethanol debate was on, that peak body was more concerned about the motorists of Australia having a choice as to the fuel they used, rather than the potential to develop a new industry with the use of grain. That peak body has a whole range of agendas, some of which suit the various players within what is essentially a politicised body rather than those who are out driving tractors and growing wheat right across Australia. The other peak body I imagine he would consult, which supposedly represents country people and the farming communities, is the National Farmers Federation. I have great concerns there as well, especially when you look at their performance in the immediate past—particularly under the former president, who is now known as a traitor to his tribe in the north-west of New South Wales at least. Have a look at their stance on Telstra.

It is of great concern if these are the bodies that the Leader of The Nationals and the government take a lead from the future of a very important industry, the wheat industry. These are the very bodies that have let the farming community down. The traitor to his tribe, Peter Corish, the former leader of the National Farmers Federation, was run over by a bus in the US trade negotiations. He did not represent the people; he represented a political future for himself. This is not the way for the Leader of The Nationals, the Deputy Prime Minister, to stand up for wheat growers in the post-Cole era of the wheat industry.

What needs to happen is what he said in Victoria last year—and I supported him in this place. There are various options that people are looking at. As a wheat grower myself, I am leaning towards the option that the member for O’Connor has put up for public exhibition by way of a private member’s bill, but there will be other options—and so there should be. Those options should be put to every registered wheat grower in Australia in a poll. That is what the Leader of The Nationals, Deputy Prime Minister Mark Vaile, said he would do last year.

It is no wonder that people in country Australia are concerned about these people—the National Party in particular—because they do not have a solid stance in the representation of people. They say they represent people. They were there to represent the people on Telstra and then voted those very people down. They said there were guarantees in place on broadband and basic telephone services. They said they had given an undertaking to the traitor of his tribe, Peter Corish, as leader of the National Farmers Federation at the time, in writing. No-one has sighted that letter, and in the intervening months that tragedy has ensued. I urge the Deputy Prime Minister: stand by your words and hold a poll with registered growers. (Time expired)

**Workplace Relations**

**Mr BALDWIN** (Paterson—Parliamentary Secretary to the Minister for Industry, Tourism and Resources) (10.42 am)—Today, at nine o’clock, there was a rally at EnergyAustralia Sta-
diurn, headed up by Gary Kennedy, head of the Newcastle Trades Hall Council. The bottom line of the letter reads: ‘Your rights at work are worth fighting for.’ I have to say to you, Mr Deputy Speaker, that hypocrisy is something that none of us can withstand, because this same Gary Kennedy, the head of the Newcastle Trades Hall Council, is the same Gary Kennedy who was also a director of the Panthers workers club in Newcastle. Seventeen workers from the Newcastle Panthers club were laid off—17 workers whose rights were not protected by the head of the Trades Hall Council. What is amazing is that all of this occurred prior to Work Choices coming in. In fact, it is disgusting that one of the employees laid off had worked faithfully for the club for 39 years—39 years of effort. When Gary Kennedy, head of the Trades Hall Council, sacked her, he could not even pay the correct retrenchment and entitlement rights.

It goes further. Another person had been there for 11 years. Would Gary Kennedy allow negotiations on his future? No, not at all. Seventeen people were sacked by the head of the Trades Hall Council in Newcastle, yet today at the rally this is the person who stands up and says, ‘Protect the workers’ rights.’ It is supreme hypocrisy. This man will stand up and say one thing and then act in another way. There were no rights for the workers of the workers club. Hypocrisy reigns supreme out of the Newcastle Trades Hall Council.

In the six months since Work Choices was brought in—which was after these workers were sacked by the head of the Trades Hall Council, with no negotiating rights—there have been 250,000 new jobs created. In fact, 184,000 of those are full-time jobs. Retrenchments are now 58 per cent lower than they were when Kim Beazley was the minister responsible for employment. There has been a 16.4 per cent increase in real wages in the last 10 years, compared to a 0.2 per cent decrease in real wages under 13 years of Labor. And what says it all is the $27 per week increase for the lowest paid workers.

So, Mr Deputy Speaker, I say to you: do we look at the actions of the Newcastle Trades Hall Council and Gary Kennedy, or do we look at the track record of the Howard government in bringing unemployment down? In fact, the only thing that has come down has been unemployment. Wages have gone up. Job opportunities have gone up. Apprenticeships have gone up. But unemployment has come down. That is the critical factor.

I note that the member for Batman, a strong unionist, is here. What would he say to Gary Kennedy, the head of the Trades Hall Council, who sacked 17 loyal staff at the workers club in Newcastle? It is not a workers club. In fact, the people who run that—allegedly the workers—do not represent the workers. All they want do is collect the union fees. Today’s rallies are nothing about jobs. They are about shoring up lame duck union officials such as Gary Kennedy, who is a fraud upon society for the fact that he says one thing and then does exactly the opposite. He talks about workers’ rights and then strips them away from the people he is supposed to represent. I notice the member for Shortland is absolutely silent on this, as indeed every other Labor member in the Hunter, state or federal, has sat dead quiet on this. She turns her back.

Mr Martin Ferguson—Mr Deputy Speaker, the standing orders provide for us to interject. There has been a challenge to us. Do you accept that we can intervene and disrupt the debate?

The DEPUTY SPEAKER (Hon. DGH Adams)—There are no interventions during adjournment debates.
Mr BALDWIN—The union shuts down the person standing up for the worker. I am standing up for those 17 people, and another union heavy wants to shut down debate and recognition of the rights of those people they sack. You are as bad as Gary Kennedy in supporting his action in sacking the workers from the workers club.

Water

Mr JENKINS (Scullin) (10.47 am)—Despite the ranting of the member for Paterson, my heart and my head are very much with the hundreds of thousands of workers at the National Day of Action supporting their workers’ rights despite the legislation that has been put in by the Howard government in recent times. But I want to talk about the water crisis that we have around Australia. I want to do so because of two recent visits I have made to local schools. The first was on Monday for the launch of a tank-to-toilet project at Mill Park Secondary College, where, for the cost of $65,000—a $50,000 community water grant plus a $15,000 effort by the school community—they have put in water-harvesting tanks and are using them on demand in their toilets.

The second visit was to the Thomastown Primary School. This visit resulted because I received a letter from one of the students in class 3/4, Phillip Papagiannopolous. I want to quote from his letter:

I am a nine-year-old boy from Thomastown. We are learning about water at school and as you know we are running out of water. This is because of climate change and we are not using water wisely. I thought all the kids in Australia should plant trees because the trees help the water cycle.

The other day I wrote a letter to Mr Howard to ask him to help and make a better future. Can you please make sure that this letter goes to Mr Howard? I left the envelope open so you can read it too.

I will be seeking leave to table this letter from Phillip. I would prefer that it be inserted in Hansard so that Hansard would become a more readable document, because Phillip obviously went to some trouble with this colourful letter about his idea for water. I think he is trying to capture the hearts and minds of children throughout Australia by involving them in a tree-planting exercise to help combat the great water crisis that we confront.

Let us put this into context. If we look at a recent media release from Yarra Valley Water on 2 November, it indicates that Melbourne’s water storages have dropped to 43.9 per cent. This can become a debate where we take partisan positions, but that is not going to help us to reach solutions. This is something that the states and territories will have to work through with the Commonwealth government at COAG. It is not something that is going to be easily fixed by new technologies; it will take a cultural change. Everything that can be done must be done to make sure that through the next few generations we have a sustainable source of water.

This is of importance to us not only for our social and community life but also for our economic life, particularly in the agricultural sector. To produce one kilogram of oven-dry wheat grain takes 715 to 750 litres of water; for one kilogram of beef, it takes 50,000 to 100,000 litres of water. I do not quote these figures in any way to shift blame to the agricultural sector but to indicate the importance of water. We are going through one of the driest periods on record. That only serves to highlight the need for us—as individuals and as family units at our residences—to rethink the way we use water. There is so much potential for improvement through the use of water harvesting and the recycling and use of grey water. I congratulate class 3/4 and their teachers, Ms Lauder and Mrs Micallef, at Thomastown Primary School. These students are going to be the future decision makers who will have to rectify the mis-
takes my generation has made. I hope that we are able to give them the greatest encourage-
ment.

In conclusion, I call upon the Presiding Officers in their stewardship of this place, Parlia-
ment House, to look at ways we can be exemplars of what can be achieved. There is no har-
esting of water or recycling of water, and 65 per cent of the use of water in Parliament House
is for the gardens and the lawns. We really have to look at the components and our use. We
have to look at the ways that we can use the water that is available wisely and minimise the
total use of water out of the catchment of the ACT by creating sources of water on site. If we
cannot do that here in Parliament House, I doubt whether we will be taken seriously as na-
tional leaders when asking others to do that. I hope that through the Presiding Officers, in
consultation with the government, we can at least come up with some projects around this
place which show the leadership that is required to make sure that this problem—this crisis—
is tackled properly.

The DEPUTY SPEAKER (Hon. DGH Adams)—Does the honourable member seek
leave to table the letter?

Mr JENKINS—I do seek leave.

Leave granted.

Community Water Grants

Casey Electorate: Volunteer Small Equipment Grants Program

Mr ANTHONY SMITH (Casey) (10.52 am)—I commend the previous speaker, the mem-
ber for Scullin, for his strong support of the Howard government’s Community Water Grants
program. I am glad that the member for Scullin recognises the importance of the Howard
government’s Community Water Grants program. This program was introduced by this gov-
ernment—for the first time by any government—to provide grants at the community level to
organisations so they can save and reuse water. It was only two weeks ago that I spoke in the
adjournment debate about the wonderful work that was being done at the Croydon Hills Pri-
mary School in my electorate, where they have received a community water grant to install
rainwater tanks and a number of other water-saving devices which will save the school two
million litres of water. Of course, the reason that program has been able to be introduced by
the Howard government—and the electors of Scullin for the very first time can have commu-
nity water grants, which did not occur under the Keating or Hawke governments—is that we
have the resources and the financial ability to fund such programs. Having paid off $96 billion
worth of Labor’s debt, we now have the opportunity through the interest saving on that debt—
around $8 billion every year—to increase funding for all sorts of important community priori-
ties, be they health, education or important grants programs such as this.

Another grants program I would like to commend today is the Volunteer Small Equipment
Grants Program. It is a vital program that provides small grants of up to a few thousand dol-
ars to help communities do their job for the benefit of our local society. In my electorate, nu-
merous environmental groups have received community grants that have recognised the im-
portant role they play on the ground. Of course, in a partnership between government and
community groups, we very much rely on the work that they do. In the recent allocation
round, there were a number of successful applicants. I would like to mention them, what they
received the grants for and the great work they do.
The Croydon North Cricket Club received a grant for some sunshades, a marquee and an umbrella. That cricket club engages in a number of charitable activities, most notably an Australia Day cricket match every year where they raise money for the local RSLs. I also recognise the Joy Avenue Preschool in Mount Evelyn, which received a grant for all sorts of equipment, particularly garden equipment. I recognise the Help for Wildlife group in Gruyere, which does so much good work for the local community there. They have received funding for a camera and video projection equipment. The Lilydale softball club received funding of $2,700 for computer software. The Mount Evelyn Primary School Parents Association also received funding for sunshades, umbrellas and other equipment for the primary school. The Patch Early Learning Centre also received funding for computer software.

These are just some of the grants that have been successful. I pay tribute to all of those community groups. We can, as a federal government, assist them with a small grant, but of course the hours of work that volunteers put into those organisations make all of our local electorates much better places. I pay tribute to them and commend the program.

Adelaide Airport Consultative Committee

Mr GEORGANAS (Hindmarsh) (10.57 am)—The Adelaide Airport has willingly complied with ministerial direction to establish and maintain the Adelaide Airport Consultative Committee. Naturally, much of the consultative committee’s concerns are with all sorts of aviation issues. It has committee members from a whole range of industries that are involved in aviation. It has representatives from residents’ groups, and that is why it plays a very important role. It has representatives from the Netley Residents Association and the Southern Lockleys Residents Association.

The consultative group meets on a quarterly basis. All elected members who have electorates—whether they be ward councillors, state members or federal members—affect by Adelaide Airport are invited. It is a very important consultative committee. It is important because it is a consultative committee where we turn up, we look at the issues—the things that affect the residents, the industry and Adelaide Airport—we discuss them and solutions are found and finalised.

Of interest to the consultative committee members have been issues such as the federally legislated curfew, allegations of breaches, the investigations into these allegations, and dispensations. This gives me the opportunity, while the former shadow minister for transport, the member for Batman, is here, to thank him for the input that he had into the curfew bill a few years ago. He was able to negotiate an amendment that ensured that dispensations were signed off individually by the transport minister, and I thank him for that. He played a big role in it; he came to Adelaide and spoke to the residents groups that I have just mentioned. Their requests were put in the form of an opposition amendment to that bill, and today they are enshrined in legislation.

These are some of the things we deal with. These interests are matters which Adelaide Airport Ltd is not responsible for, both in practical terms and that which may relate to federal policy. AAL is neither able nor authorised to address such concerns because there are government bodies that address those concerns.

To fulfil this ministerial direction and maintain a consultative committee, it is only natural that representatives of the agency or departments that are responsible for highly relevant ele-
ments of greater airport function, including those matters specifically dictated by legislation, be available to address concerns and inform members of this consultative committee. I understand that a representative of the Department of Transport and Regional Services contributes to meetings at the Sydney airport regarding their noise insulation programs, but DOTARS does not attend an Adelaide Airport Consultative Committee meeting. I would like to know why not. Are the residents of Sydney more important than the residents in Adelaide who are affected by aircraft noise? A curfew applies in Sydney, as it does in Adelaide, concerns regarding which can be answered or pursued by DOTARS representatives in attendance in Sydney but not in Adelaide. Again I ask: why not?

Are government ministers prepared to direct airport management to engage with the community, only to ignore all parties to the forum and starve them of information concerning the very matters they exist to address? How can a ministerially directed meeting concerning alleged, proven or permitted breaches of the curfew take place when the parties responsible for the curfew—the government, the ministers, DOTARS—do not even provide timely and intelligible information regarding its operation? At meeting after meeting we turn up and the reports are not there from the department.

This information has been requested again and again by the consultative committee but to no avail up to this point. I have tried to advance the interests of the committee members in this place on many occasions. We have a terrific local community based resident organisation that takes these issues of the airport, the flight paths, the curfew and insulation very seriously. As I said, it is represented on this consultative committee. So I ask that the current minister instruct DOTARS to provide information in a timely manner and in a comprehensible form for distribution to committee members and that the department make available a member of its staff to attend committee meetings and help members, including AAL, comply with the former minister’s direction.

The Adelaide Airport Consultative Committee plays a very important role in dealing with issues. We try to work through issues together with the residents and the airport. The minister should give the committee the respect it deserves by ensuring that reports from DOTARS and other government agencies arrive on time for us to peruse and to ensure that we deal with them.

Mrs GASH (Gilmore) (11.02 am)—I would like to continue the story of 19-year-old Naomi Cockerill, a successful work experience story in my electorate office, that I started in my member’s statement this morning. Naomi goes on to say:

Keeping up to date on all issues is imperative to being a successful journalist. For the first time in a long time, I have been regularly reading as many newspapers as I can and watching the news. Doing this has made me realise how much I didn’t know about a lot of current issues, such as the increasing interest rates and current water shortage. My teachers have told me the importance of keeping up to date but it wasn’t until I have been put in the situation where it is a must that I have realised just how important it is. In the future I will most definitely be keeping up to date with current events.

The main qualities that you need to possess to be a successful journalist or to work in a politician’s office are persistence, excellent listening skills and patience. Folding pamphlets has helped me improve my previously non existent patience. Attending meetings, speaking to various politicians, journalists and citizens has helped improve my listening skills.

Gilmore Electorate Office: Work Experience

The Adelaide Airport Consultative Committee plays a very important role in dealing with issues. We try to work through issues together with the residents and the airport. The minister should give the committee the respect it deserves by ensuring that reports from DOTARS and other government agencies arrive on time for us to peruse and to ensure that we deal with them.
I have thoroughly enjoyed my time at Joanna’s office and have had a lot of experiences I otherwise would not have had. I thank Joanna and her staff for welcoming me into their office and for teaching me so much. I hope someday to be able to work in a politician’s office and this experience has only confirmed this.

Last week I had another work experience student, Elizabeth Heppenstall, who is 15 years old. She writes:

... I am at the end of Year Ten—about to start my HSC course at Nowra Anglican College. It is compulsory for every Year Ten student at my school to do one week of work experience—it’s something you know you’ll be doing ever since you start Year Seven, but something most people don’t think about organising until three-four weeks before that (often-dreaded) week of work experience.

I have not changed any of her words whatsoever. She goes on to say:

Personally, the idea of work has always made me a bit apprehensive. Although I’m fairly intelligent and confident, school has always been a bit of a security blanket for me. It’s a place where I knew where I stood, knew the rules and the routines.

There’s one other thing you should know about me- I’m very indecisive. I have no idea what I want to do when I leave school, and possible career options range from being a chef, to a lawyer, to a politician. So, not only is what I’m going to study at university a bit unclear, but in the nearer future, the choice of what to do for work experience was rather baffling.

In the end, it all became rather clear what I wanted to do for work experience. What made it clear? I was in Australian History at school, and we were discussing Gough Whitlam and his multiculturalism policy. My teacher asked my opinion of the policy, and I gave it. But I digressed—just a tiny bit. Somehow I had managed to be talking about mandatory detention for refugees and asylum seekers. And he cut me off saying, “Elizabeth, that’s not something I asked to hear your opinion on.” And me, being decidedly blunt, replied with, “You can’t ask us to have and express opinions on one thing, but not another.” And he frowned at me and said “You’re quite opinionated, aren’t you Elizabeth?” Then it clicked. The perfect place for me to do work experience, was at Joanna Gash’s office. This was so I could see what politicians and their staff had to do, and, possibly, begin to look at it more seriously as a future career.

So when I stepped through the automatic door that still had the “Push” sign on it, on Monday the 20th of November, my placement had been organised, and I was delving into the unknown.

Now being on work experience, I expected to be doing filing and taking the mail to the post office. Oh, and getting coffee. And I did all that. However, I also counted stationary, addressed, stamped and/or stuffed somewhere in the vicinity of 1000 envelopes, folded little smiley face cards for primary school children who were to visit parliament house, tallied feedback and designed a couple of award templates. Not the most exciting of things to do for a week, but it was work experience after all.

Here I am, in the last hour of work experience week writing a speech about my time at work experience- and hoping to never see another blank, empty envelope as long as I live. But I will leave here, with a completely different view of what it’s like to work in a politician’s office. It’s always busy—good luck getting time to think. Everyone has something to do, but they always made sure I knew what I was doing, and I thank everyone in the office for that. Joanna Gash herself has so much to do—her schedule for the next month is jam packed. Sorry, but I don’t envy her.

I’ve also seen that I don’t think I will ever be a politician—I’ll leave that to someone with better time management and organisational skills than I. But I will always remember this week. I’ve met so many different kinds of people, encountered problems and learned that coffee is a fairly vital substance in this busy office. I leave here the Year Ten student who has probably been the most effected by this one week of work experience.
Finally, I would like to thank Joanna Gash, Julia, Shawn, Sam and Wal for allowing me this opportunity and showing me what working here involved. It was very much appreciated.

I cannot begin to tell you how proud I am of our young people who come to our office to do work experience. We have an average of about six or seven a year, and it is a great experience not only for them but also for me and the staff. We certainly learn about what young people want to do in their life, and I think Elizabeth has now decided what she wants to do with her life—and it is certainly not becoming a politician!

**Tourism**

Mr MARTIN FERGUSON (Batman) (11.11 am)—As we draw to the end of 2006 I want to raise this morning the government’s Tourism Forecasting Committee figures—the forecast figures for 2007 which were released last week. They show the estimates of the number of inbound and outbound visitors to Australia along with an assessment of the predicted health of domestic tourism, which was reported with mixed interpretations by the media. The headlines in the *Australian* read a modest ‘Tourism on the up’, while the *Sydney Morning Herald* was far more enthusiastic about the future with the headline, ‘Tourism to skyrocket over next decade’. Conversely, the *Australian Financial Review* painted a much bleaker picture with the headline, ‘Tourism body arrives at grim conclusion’.

Let us go to the facts. The truth of the matter no doubt lies somewhere in the middle of the two more polarised views, yet the differing media headlines as a collective probably accurately define the current and future state of the Australian tourism industry—one of confusion, unfortunately. The year 2006 unfortunately did not prove to be a good one for tourism operators and industry reliant businesses. The forecasting committee expects a 0.5 per cent decrease in overall visitor numbers in 2006, which is the worst result since the severe acute respiratory syndrome outbreak of 2003.

Arrivals coming to Australia were down on the 2005 numbers, with substantial losses from key markets such as Malaysia and Singapore but also, more significantly, from the bread-and-butter markets of Japan and New Zealand which we so heavily rely on as a nation. Things were no better for domestic tourism, which reported a very sluggish year as people, influenced by high petrol prices and a growing trend not to take as much time off each year, chose not to take a short break travelling around Australia but instead to accumulate their annual leave and perhaps head overseas instead.

Amid all this there was a period of significant uncertainty at the nation’s main tourism body, Tourism Australia, with the sudden and secretive departure of the former managing director Scott Morrison earlier this year at the minister’s behest. Notably, there has also been a lack of clear leadership from the minister, Fran Bailey, at a time of great uncertainty for the industry. When combined with everything else, is it any surprise that the media headlines give mixed messages? There is no leadership or direction at the senior levels of government in the minister’s office.

The forecasts, to be fair, did contain some good news. They indicate that, hopefully, 2007 at least will not be as bad as 2006. That is good news for industry and the people employed in it, but it is hardly great news for an industry that has such enormous potential at a time when the global tourism industry is going through a period of immense growth. The issue is: where is Australia’s share of that growth? Serious issues need to be addressed so we as a nation can ensure that this $18 billion industry, which makes up almost four per cent of our GDP and
supports over 500,000 Australian jobs, does not fall short—in essence, does not fall into a holding pattern. We hope that our industry is able to adjust sooner rather than later to changing global tourism trends and shifting attitudes to domestic Australian tourism and, in doing so, evolve new ways not only to get Australians to have a holiday but also to attract to Australia more people from overseas, including from the growing markets of China and India.

I refer to a report in today’s *Sydney Morning Herald* which contains some alarming statistics about the tourism industry. The statistics refer not to tourism per se but to the number of hours the average Australian is working—more than 50 hours a week. Worse still, most were unhappy about it. I therefore say that, with the approach of Christmas, Australians need to start taking more time out for themselves not just to support an ailing tourism industry but for their own health and wellbeing. It may be fashionable to own the latest plasma television, but will it enrich the lives of individuals and families in the way that even a short trip to one of our great many natural beauties can?

I say in conclusion that, unfortunately, one of the results of the Howard government’s industrial legislation is to put pressure on people either to not take annual leave or to cash it out. That is not good for those families and those employers, nor is it good for the Australian domestic tourism industry. *(Time expired)*

The DEPUTY SPEAKER (Hon. DGH Adams)—Order! I remind the honourable member for Stirling that when members pass in front of the chair it is expected that they acknowledge the chair.

Mr Keenan—I beg your pardon, Mr Deputy Speaker. I certainly will in future. Thank you for your reminder.

Community Water Grants

Mr KEENAN (Stirling) *(11.12 am)*—I rise to speak about water-saving grants that have been allocated in my electorate of Stirling. Like most Australians and many of the people in my electorate, I enjoy the wonderful natural environment that we have, and we need to be mindful of the kind of place we are going to leave behind for our children and our grandchildren.

The natural environment is very important to the people in my electorate of Stirling, as is finding ways to protect and maintain our beautiful beaches, wetlands and bushlands. Many of my constituents spend considerable amounts of their own time caring for the local environment in a voluntary capacity, and I am always impressed by the commitment shown by members of groups such as Stirling Coastcare, the Friends of Trigg Bushland, the Friends of Star Swamp, the Friends of Lake Gwelup, the Friends of Carine Wetlands, the Friends of Dianella Bushland and other groups which people are prepared to give up their own time and resources to support. I think it is a very admirable thing.

When I have talked to people in my community, many have shared their concerns about the conservation of our most precious resource: water. I think it is something that has been extremely topical in the midst of what is a very bad drought in this country. The local communities in my electorate are concerned about how we manage our water supplies. They want to know, and I think they need to know, that we are going to have enough water flowing for future generations—and of course that is why we must take action now.
Healthy waterways do not respect state or local government boundaries. This is very much a national issue. That is why I am very supportive of the Howard government’s community water grants, which in the past 12 months have provided more than a quarter of a million dollars in funding for local projects in my electorate. My local council, the City of Stirling—and I hosted the Mayor of the City of Stirling, Terry Tyzack, during his visit to Canberra this week—has recently been awarded $40,260 as part of the funding for a project that will total $104,000, which will be used to upgrade the irrigation systems at one of my local golf courses and the irrigation system at a sports oval by installing a sophisticated computerised system along with moisture sensors. This will save a staggering 162 million litres of water each year, which is an extraordinary saving to achieve through taking what are quite simple measures.

It is the second water grant that has been provided by this government to the City of Stirling, which was already successful earlier this year in being awarded a community water grant for a water purification and revegetation project within the precious Claisebrook catchment area. Other successful applications in the latest round include St Kieran’s Catholic School, led by principal Redmond Berson, in Tuart Hill, which has received $50,000 to fund a project which will install slow-flow tap devices to save 219,000 litres of water each year. Glendale Primary School, under the leadership of principal Steven Ivey, in Hamersley, has also been successful, receiving $50,000 to install tap control valves that will save 243,000 litres of water each year. This great news followed more than $127,000 in local community water grants that had previously been allocated to Stirling, including $50,000 to Deanmore Primary School in Karrinyup for its efficient sprinkler project that will save over 14 million litres of water a year.

These projects are proof that my local communities are taking steps towards achieving a sustainable and water-wise future, and everybody can play a part. My local schools, the City of Stirling and the many dedicated environmental groups which volunteer many hours to implement these projects deserve to be commended for the incredible commitment they have shown to conserving water. After the enormous success of these projects in Stirling that will literally save millions of litres of water each year, I would urge other communities in my electorate, whether they be sporting clubs, schools, service clubs or other community organisations, to consider applying for a community water grant. This is a tremendous program that firmly highlights the Australian government’s commitment to working with local communities on the ground to save our most precious resource, water.

Human Rights: Darfur

Mr DANBY (Melbourne Ports) (11.17 am)—I want to praise the Secretary-General of the United Nations, Kofi Annan, for speaking up on behalf of the brutalised people of Darfur in western Sudan. Over the last three to four years, the worst genocide since Rwanda has occurred in that benighted country, with the active cooperation of the murderous regime in Khartoum. Since 2003, more than 200,000 people have been murdered in Darfur, along with mass rape and pillage by the Janjaweed militia. These Janjaweed militia brigands, apart from having air support from the Sudanese air force and the backing of the Sudanese army, are judged by all impartial agencies, such as Human Rights Watch and Freedom House, to be backed by the Sudanese dictator, Omar al-Bashir. His name will eventually live in infamy, like Pol Pot, Mugabe and Milosevic.
The UN Secretary-General’s anger was sparked by a shameful vote in the UN Human Rights Commission—22 to 20—to turn down a resolution from the European Union, Canada and others telling the Sudanese government to prosecute those responsible for killing, raping and injuring civilians in Darfur. Can you imagine that the UN Human Rights Commission turned down a resolution calling for the prosecution of those responsible for mass rape, mass killing and pillage in Darfur? What kind of a situation have we got to when things like that happen? To its great discredit, the Organisation of Islamic Countries, together with the Arab League and backed by various authoritarians such Castro, Chavez, Putin and Hu Jintao, all got together—the great humanitarians of this world—to vote down this resolution.

It is particularly ironic because the people of Darfur are Muslims, black Muslims, African Muslims, and they are being persecuted by an allegedly Muslim government in Khartoum. This disgraceful vote follows another shameful decision of the UN Security Council not to classify the situation in Darfur as genocide because China has a veto and values its oil rights in Darfur above the poor persecuted people of that region. China wants to exploit its relationship with the Sudanese government. Therefore that government can continue to have its militia murder, pillage and rape in Darfur. It is the most serious situation in the world.

The Secretary-General has rightly gone out on a limb over this. He told the UN Human Rights Council, in a statement read out by its head, Louise Arbour, that he urged the Human Rights Council, which was established after the widely discredited UN Human Rights Commission was abolished:

... to take care to handle this issue in an impartial way and not to allow it to monopolise attention at the expense of others. There are surely other situations besides the one in the Middle East which would merit scrutiny by a special session of the UN Human Rights Council. I would suggest Darfur is a glaring case in point.

He was talking about the fact that there had been six resolutions on the Israeli situation before the UN Human Rights Commission and not one condemning the murder of 200,000 people and the mass rape and pillage in Darfur.

It is absolutely shameful that the UN Human Rights Commission would allow this total misfocus of the world to continue. It follows the decision of the UN, at least in some ways—this following the intervention of that very brave other UN official Jan Egeland, shamefully treated by the dictator in Khartoum—to achieve some human rights on behalf of the people of Darfur. The UN was going to deploy a joint force along with the African Union in Darfur to try to protect some of the people in that country, but of course the Sudanese government has been backtracking on that.

My comments follow a recent meeting I had with the Darfur Australia Network and their very impressive public spokesman Abdelhadi Matar, an inspiring refugee from the Masalit tribe in western Darfur. I appeal to the Australian government on behalf of the Darfuri refugees to get our embassy in Cairo to put more pressure on the UN Human Rights Commission to process the applications of refugees from Darfur, who are in an urgent situation, a situation where there is still murder, rape and pillage taking place, as we speak, in Sudan. Those applications are all being held up by the UNHCR in Cairo, which is processing no applications by refugees from Sudan. The Australian government needs to act directly with those refugees.
Dr SOUTHCOTT (Boothby) (11.22 am)—I was very pleased on Monday to go to the announcement of the projects for research infrastructure under the NCRIS. This is a scheme which is provided for under the Howard government’s Backing Australia’s Ability. What it does is provide critical infrastructure in a number of areas where Australia has an outstanding research track record. The projects are decided by a committee of eminent scientists. I was particularly pleased that there was $15 million for a plant accelerator which will be at the Waite Institute in the electorate of Boothby.

I am told that this facility will enable them to find out much more quickly which crops are salt resistant and which crops are drought resistant. It is a high-tech piece of infrastructure which is much more discriminating than the naked eye and allows us to find, to a much greater degree of sensitivity, the best crops. It is also known as a plant phenomics facility. Phenomics is the expression of the genome and very important in areas like salt research, salt resistance and drought resistance. It comes on top of a number of other projects that have also been built at the Waite Institute. Four years ago there was $40 million for the Australian Centre for Plant Functional Genomics, and presently I am working with the Winemakers Federation to establish a wine industry cluster on this campus.

The Waite Institute, as I have said before, is Australia’s pre-eminent agricultural research institute and one of the top two or three in the world. It sometimes comes as a surprise to people from interstate that our top agricultural research institute is housed in suburban Adelaide, but the reason for this was a bequest from a gentleman called Peter Waite, who in the 1920s donated his land to the University of Adelaide. At present it is very much what would be described as a cluster, with the CSIRO, the wine industry, the University of Adelaide and other things there like, as I have mentioned, the Australian Centre for Plant Functional Genomics. This plant accelerator will be a massive greenhouse—something like 4,000 square metres. That is a 40-metre by 100-metre greenhouse.

I would like to pay tribute to those people who have put together this bid: Professor Mike Tester, Nick Begakis from the Australian Centre for Plant Functional Genomics, and the director of the Waite Institute, Professor Geoff Fincher. It is an outstanding piece of infrastructure and it is one of the benefits of having good economic management. Budget surpluses have enabled us to do things like Backing Australia’s Ability to provide infrastructure for our scientists, especially in an area like agriculture, where we have such a strong competitive advantage. We need excellent scientists. We need to be able to attract the best scientists in order to sustain our competitive advantage in this area.

Ms HOARE (Charlton) (11.26 am)—On 10 November 2006, over 350 mourners gathered at the Ryhope memorial park for the funeral of mining union legend Jim Comerford. Mr Deputy Speaker, I will be seeking leave later to table the eulogy read out by my father, Bob Brown, at that funeral. The funeral for our good friend Jim was one of the most extraordinary funerals I have ever attended. If members just close their eyes a bit they may imagine a coffin being brought into the hall, carried by six mine workers with their lights switched on and taken up to the front table. The funeral parlour was filled with Jim’s friends and comrades, all there to bid him a hearty farewell and to say thank you.
The MC at the funeral was Tony Maher, the General President of the CFMEU Mining and Energy Division, and there was a eulogy also read out by Jim’s good friend Paddy Gorman, the editor of Common Cause. I will quote Bob’s eulogy where he talks about Paddy’s contribution. He said, ‘It was an outstanding, sensitive, comprehensive, personal and compassionate statement from Paddy to say farewell to a much-loved comrade.’

Following Paddy’s eulogy we had the people’s choir from Newcastle singing Solidarity Forever. Behind me were sitting two former Liberal ministers, Wal Fife and Milton Morris, and they stood up and belted out the lyrics of Solidarity Forever with the rest of us, so great was the respect that they had for Jim Comerford.

Jim’s body was piped into the funeral parlour as well. Following the people’s choir and our all singing Solidarity Forever, Bob Brown—my father, former member for Hunter and very good friend of Jim Comerford—gave his eulogy. Jim’s grandson Bruce then delivered a moving tribute to his grandfather. Following that, as the curtains closed around Jim’s coffin the six coalminers turned their lights off to the sounds of local girl Tara Naysmith’s version of Workin’ Man. Mr Deputy Speaker, as you can imagine, there was not a dry eye in the house.

As members would know, Jim Comerford was one of the last three surviving miners from the Rothbury lockout in 1929 and his whole life was devoted to bettering the working conditions of working people, particularly coalminers. Jim Comerford was proud to be a socialist and he actually asked my father to make sure that he made reference to his commitment to socialism. He also asked Bob to quote from the only reference to mining in the Christian Bible. That reference to mining is in Job, chapter 28. As Bob said, it was an appropriate reference for Jim Comerford because it combines mining with the concept of wisdom: ‘Iron is taken out of the earth and brass is molten out of the stone. But where shall wisdom be found? And where is the place of understanding? It cannot be gotten for gold; for the price of wisdom is beyond rubies. ’ Jim Comerford pursued wisdom and in the process found socialism.

Reg and my family would like to convey our deepest sympathy and condolences to Mabel Comerford, Jim’s lifelong partner; his daughter, Jean, and son-in-law, Tony; his grandchildren, Bruce and Helen; and his great-grandchildren, Matthew and Callen. They are all very proud to be able to call Jim Comerford their dad, husband, grandfather and great-grandfather, as we are all proud to be able to call Jim Comerford our friend. For the labour movement as a whole, Jim Comerford is an inspiration, somebody who made the lives of working people today much better. I seek leave to table the eulogy.

Leave granted.

Redcliffe Peninsula: Volunteer Coastguard

Ms GAMBARO (Petrie—Parliamentary Secretary (Foreign Affairs)) (11.32 am)—I am delighted to speak today about the wonderful work that the coastal patrol and coastguard do in Redcliffe. I had the great joy to visit them recently to announce a Regional Partnerships grant to them of $59,000. The Australian Volunteer Coastguard, which is QF3 down there, has been given the funds to construct a vessel and trailer as well as to fit out a vessel with outboard motor, safety equipment cables, VHF and other instruments. This is a terrific program, but more terrific is the fantastic volunteer work. There are some 105 volunteers who man the coastguard 24 hours a day. I want to put on the record my appreciation of the wonderful work
that they do—and also the 660 members of the coastguard and the boaties who use this fantastic service down at the Redcliffe Peninsula.

This is a fantastic leap forward. The funding will enable them to get a rescue vessel that will be able to handle more water emergencies. It will also improve their response time and help educate boat users. Some 1.2 million tourists visit the Redcliffe Peninsula every year. They are drawn to the peninsula because of its wonderful coastline, and many of them have a great interest in boating. So it is fantastic to have this particular funding going to this wonderful organisation.

I want to put on the record my appreciation for Caroline Gould, the grants officer there; Malcolm Olding, the flotilla commander; Roy King, who is the longest-serving skipper in the coastguard, having served for some 33 years; Neil Macfarlane, their administration officer; and Paul Baldwin, their publicity officer. This work could not have been achieved without the fantastic work of the Moreton Bay Coast and Country Area Consultative Committee, which brought this to fruition. I would like to acknowledge Estella Rodighiero for her fantastic work. A number of local companies also got behind the program. I would like to place on the record great appreciation for the Redcliffe City Council contribution of $15,000 and also for the great assistance by the Redcliffe City Rotary Club, Neilsen’s Electricals, Freight Plus, AVG Powder Coating, Hydrofield Boats and Sundown Marine.

These partnerships are exactly that—they are partnerships between the community, councils and also businesses in the area, and they have been a great success. The Australian government has contributed some $270 million under the Regional Partnerships program from 2006 to 2010. It is fantastic that local organisations such as the coastguard are able to continue the wonderful work that they do and have the support out there. They are working hand in hand with the Moreton Bay coast and country committee.

The Moreton Bay coast and country committee have done a magnificent job for the whole of the area that they represent, and they represent some four councils. We do have a wonderful lifestyle on the Redcliffe Peninsula. We have a number of recreational fishing vessels there and we have commercial fishermen who go out as well. They know that they have a reliable service that will provide fantastic search and rescue but also that the coastguard have continual training programs in areas such as first aid and also in terms of providing training for their staff in search and rescue. They are a very dedicated bunch. I delight in visiting them regularly, and I wish them well in their future endeavours. I look forward to the day when they invite me to officially launch this vessel—and that will be some time in the new year. I place on the record today my wonderful appreciation of the coastguard down at Redcliffe and wish them well in their future endeavours.

**Tebonin**

Mr LAURIE FERGUSON (Reid) (11.36 am)—I seek to raise the issue of the abuse of power which a few pharmaceutical companies have engaged in and the seeming inability of the regulator to adequately respond. During the June Senate estimates hearings, my colleague Senator Forshaw raised the issue of the marketing of the over-the-counter tinnitus relief drug Tebonin. Unfortunately, the responses from the TGA and the Department of Health and Ageing were inadequate to say the least. The Tebonin pack and current promotional materials state that Tebonin, containing a unique extract of ginkgo biloba, has been shown, through clinical research, to be an effective treatment for a range of conditions, including tinnitus and...
vertigo. A number of consumer advocates, including Dr Ken Harvey and Mark Dunn, were concerned about the marketing and claims made. AusPharm Consumer Health Watch sought to publish a paper refuting the claims made by the drug maker. Unfortunately, the manufacturer took out a court injunction which prevented the publication of their analysis.

The paper, which has now been published, makes the following claims. The authors of a number of recent scientific reviews have not been convinced that ginkgo biloba provides more relief for tinnitus than a pill without active ingredients—in other words, a placebo. The Australian suppliers of Tebonin were approached and asked to supply information about the efficacy of Tebonin. A thorough research of the scientific literature was then conducted by AusPharm Consumer Health Watch, and the papers found were also reviewed. The TGA was contacted to determine what claims for Tebonin were listed on the Australian Register of Therapeutic Goods and whether these claims had been submitted to independent verification.

The Australian distributors provided two papers to support their claims that it provided relief and/or was an effective treatment for tinnitus. One paper was published back in 1997 and in their opinion was of poor quality. The other paper was published in 2000 and provided an uncritical review of earlier work. Both papers came to conclusions that differed from more recent independent reviews.

Schwabe Pharma Asia Pacific Pty Ltd provided three additional papers published in 1997, 1999 and 2002. In the reviewing author’s opinion, the statistical analysis of the 1997 paper was poorly performed and the author’s conclusion that it provided greater relief than a placebo was not justified. The 1999 paper reported a trial that administered Tebonin intravenously in hospital followed by oral treatment. In their opinion, this research is not relevant to the treatment of tinnitus with an over-the-counter product. The 2002 paper was a review of earlier studies and concluded: Overall, the results of these trials are favourable to ginkgo biloba as a treatment of tinnitus, but a firm conclusion about its efficacy is not possible. At present, the body of evidence is small. More trials are needed to test the therapeutic value of ginkgo biloba for relieving tinnitus.

Tebonin will cost consumers approximately $30 to $80 per month to use, although this will vary depending on the dose and the place and time of purchase. In the reviewer’s opinion, a product that appears to be no more effective than a placebo does not offer value for money.

After a long and protracted complaints process, which was greatly delayed by court proceedings, the Complaints Resolution Panel, who investigate alleged breaches of the Therapeutic Goods Advertising Code, found that the website and print advertisements were in breach of sections 41(b), 42(a) and 42(c) of the code. The CRP has no jurisdiction over similar complaints about statements on the product pack, packet insert, pharmacy posters et cetera. The CRP requested Schwabe Pharma Australia Pty Ltd in accordance with subregulation 42ZCA1(1) of the Therapeutic Goods Regulation 1990:

(a) to withdraw the advertisements, including the website material, from further publication;
(b) to withdraw the implied representations that the scientific evidence for Tebonin is extensive, unequivocal, of exceptional scientific quality and not subject to any serious question, and that Tebonin is supported by an overwhelming positive body of evidence;
(c) not to use the representations in (b) in any further advertisement unless Schwabe Pharma Australia Pty Ltd satisfies the panel that the use of the representations would not result in a contravention of the ... Act ...
In a letter to my office, Dr Ken Harvey argued:

While this outcome vindicates those who submitted the original complaints, the need to submit the complaint to three different bodies, the delays involved due to litigation and the varied responses of individual regulators highlight a number of deficiencies in the regulation of ‘listed’ therapeutic products. These include:

1. Regulation 42ZCAJ of the Therapeutic Goods Regulations which meant that the complaints had to be set aside pending resolution of litigation ...

2. Commercial-in-confidence considerations of the Office of Complementary Medicines of the Therapeutic Goods Administration concerning claims made on the product pack, package insert and ARTG—

(Time expired)

Cane Toads

Mr HAASE (Kalgoorlie) (11.41 am)—I rise today to speak on the subject of cane toads. When members of this place think of the federal electorate of Kalgoorlie, they think of gold mining, agriculture, a resources boom and thousands of square kilometres of desert. Very soon the cane toad will be added to that list. For those who do not know the history of the cane toad, 110 of these highly toxic amphibians were introduced to Australia to control beetles in the sugarcane industry in 1935. As with many introduced species, it was a good theory. But they not only failed to control the beetles; cane toads themselves have become a major pest. I know this firsthand, as the threat to Western Australia is one I take very seriously, unlike—I am disappointed but not surprised to say—the Western Australian government.

I mention the work of the member for Kimberley, Carol Martin, who is the only state member showing any willingness to assist in this sea of neglect by a Perth-centric parliament. The Western Australian state government provides considerable funds to a Perth based group called Stop the Toad Foundation. This is despite the debatable value of its work, after $500,000 was spent on an awareness campaign which resulted in a mere 45 calls in five months.

I prefer action to ads and support the Kimberley Toad Busters from Kununurra, a voluntary community group which has gone out every weekend for the past 16 months collecting the toads. The community volunteers, of whom there are now more than 1,000, have literally picked up more than 70,000 adults, tens of thousands of eggs, tadpoles and metamorphs. Their management plan is to hold the cane toad front line by picking them up, putting them in plastic bags and euthanasing them with CO₂ until such time as scientists can find a biological solution. I travelled with them earlier this month to Victoria River station to support the group’s effort, see the problem firsthand and help collect toads. I managed to pick up 400 that night. Between us we picked up some 2,500. No-one knows exactly how many cane toads there are in Australia. In fact, we know relatively little about them and their habits. We know they live up to 20 years and females lay as many as 30,000 eggs at a time and may lay two batches a year. We do not know how they decide which direction to travel, but we know they are headed for Western Australia and they are now just 100 kilometres from the Western Australian border.

The threat was first brought to my attention by Sos Johnston of Broome, who was the candidate for the 2004 local election in Kununurra. He foresaw the problem. Once these advancing waves hit the Ord catchment, there will be no stopping the destruction of the fauna re-
sources so vital to the popularity of Kimberley tourism. The natural diversity of the pristine Kimberley region, already impacted by uncontrolled wildfires, is at real risk of being destroyed by the absolutely toxic effect of cane toads. The damage they cause is widely documented, but for those who are unaware of their enormous capacity for wrecking everything in their path I will outline a few cane toad facts.

Cane toads are poisonous in all stages of their life and kill every animal that preys on them. The venom produced by the parotoid glands acts principally on the heart. Animals do not necessarily have to eat them; putting the cane toad in their mouth is enough. Cane toads can survive the loss of up to 50 per cent of their body water and can survive temperatures ranging from five to 40 degrees Celsius. Cane toads not only kill native animals, including crocodiles, snakes and lizards, but compete for food, shelter and breeding grounds. A preliminary risk assessment of cane toads in Kakadu National Park released by the Department of the Environment and Heritage in 2002 reported that 151 predator species were at risk from their advance. Concerning the health risk posed to humans, cane toads are not yet known to have caused any human deaths.

The toad busters work is hard, hot and vital until our scientists come up with a biological solution. Discussions I have had with the Minister for the Environment and Heritage, the Hon. Ian Campbell, have secured over $300,000 for the Kimberley Toad Busters to manage the on-ground problem. Their work is making a real difference to slowing down the toad’s progress, and they can use more support from the federal government. I applaud Minister Campbell for his support, but I believe more can and must be done. This is the most effective strategy so far.

At the moment, the toad busters go out in one group, but I think they have enough experience and capacity to split into three groups and cover a greater area. So instead of one group going out 52 times a year, we could have two or three groups out 52 times a year. For this, they need money. As I said, the toad busters are a voluntary group, but equipment is still required to support them with the cost of fuel and food. I will continue to lobby on behalf of the toad busters for that funding, because it will be too late to do something about it once the cane toads enter the Ord River catchment then progress almost immediately into the Kununurra area. That will see the Kimberley, with its vast range of fauna, wiped out as a tourist destination. I applaud the effort of the Kununurra based Kimberley Toad Busters. (Time expired)

Antarctic Seals

Ms PLIBERSEK (Sydney) (11.46 am)—Earlier today the parliament was discussing the Environment and Heritage Legislation Amendment (Antarctic Seals and Other Measures) Bill 2006. It is a very important bill and I was glad to hear the discussion of it this morning. What was not discussed, unfortunately, is another very important measure to protect Australia’s and the Antarctic’s seal population. Indeed, Taronga Zoo in Sydney has one of the premier seal protection initiatives in the world, with the Australian Marine Mammal Research Centre and the Great Southern Oceans exhibit at Taronga Zoo, which is currently being rebuilt.

The Australian Marine Mammal Research Centre is a joint research initiative of the Zoological Parks Board and the University of Sydney and has been operating at Taronga for more than 10 years. The particularly special thing about this research centre is the interdisciplinary approach that has been taken by the Marine Mammal Research Centre. It has focused on developing tools which improve our capacity to study the marine environment. The other really
special thing about this research centre is the work that it does in educating the public about marine mammals and the Antarctic environment. That will be the focus of the zoo’s new Great Southern Oceans precinct, which is due for completion in 2008.

The Australian Marine Mammal Research Centre is presently conducting two studies of particular interest which focus on Antarctic seals in order to predict climate impacts in the Southern Ocean ecosystem. The first research study is the bioclimatic modelling research project, which is developing ways to predict how changes in ice habitats will impact on three particular species of pack ice seal. The seals, of course, rely on ice for all of their life stages. They never go ashore. They are very dependent on the Antarctic ice environment for their population, and we need to know what is happening to the ice in order to be certain that the seal populations are safe.

With an underwater acoustician from the department of science, the research centre has developed acoustic technology which allows remote surveying of the marine environment over enormous regions, greatly increasing survey capacity. I believe that they can even attract seals under the ice with this technology. Preliminary studies have shown that the old way of determining the seal population by just looking at them—visual survey—was vastly underestimating leopard seal and Ross seal populations, and this acoustic technology will give much more accurate numbers of the seal population and will help us to determine how climate change is impacting those numbers. The obvious impact is that if there is not enough ice then there is nowhere for the seals to give birth, so there are fewer seals. The other very interesting research project is using seal whiskers to trace what the food sources have been for seals in recent years. The whiskers can show for about a four-year period what the food sources of the seals have been. The research centre has had seal whiskers since 1914, so it can look at the sorts of diets that seals have had over that time and trace their development.

The Great Southern Ocean precinct will not just house these scientific laboratories. It will educate up to 1.6 million zoo visitors each year about the precious seals and the Antarctic environment, about how climate change can be reduced by measures that each one of us can take and about how important it is to take these simple measures to reduce our effect on the planet.

Black Hawk Helicopter Accident: HMAS Kanimbla

Fiji

Mr SLIPPER (Fisher) (11.52 am)—Mr Deputy Speaker Somlyay; it is always good to see you in the chair. I rise in the Main Committee today to express my sympathy and the sympathy of the people in my electorate for the family of the Australian soldier who has been lost with the Black Hawk helicopter disaster off the coast of Fiji to express my best wishes to those who are injured and to their families and to express our feelings and prayers with respect to the SAS trooper who is lost.

Over the last two years I have been privileged to participate in the ADF parliamentary program. I think this is a very worthwhile program because it gives members of parliament—who these days have mostly not had very much or any service in the military forces—the opportunity to experience conditions in the armed forces for a short period of time so we are better able to understand the challenges that confront the serving men and women of the Australian military forces. I understand the honourable member at the table, the member for Can-

MAIN COMMITTEE
ning, has also been to this ADF parliamentary program. The Kanimbla, the ship from which the Black Hawk was lost, is a ship in which I spent a day or two off Darwin last year. I was really impressed with the high degree of professionalism.

Mr Deputy Speaker, you and I and our colleagues understand how many days we have to be away from home to serve our constituents in the Australian parliament. But given the fact that we have so many deployments I was shocked to learn that, in 2006, members of the Royal Australian Navy are often away from home for basically two out of every three months. I want to place on record my admiration for those men and women in the Australian Defence Force and in particular those in the Royal Australian Navy who tend to be away as much as they are.

I notice that this tragedy occurred off the coast of Fiji. This year I was invited by the Minister for Foreign Affairs to join the honourable member for Denison as part of an election observer team. We were based at Savu Savu and also at Taveuni, which is known as the garden island of Fiji. We were very keen, as part of the Pacific Islands Forum observer team, to see that the Fiji election was fair, free and open. I want to compliment the government of Fiji for ensuring that the election was fair and free, and I congratulate the Prime Minister of Fiji, Mr Qarase, who has formed a coalition government with the opposition Labour Party which is strongly supported by the Indo-Fijian community. Also, I am completely appalled by the prospects of a coup in Fiji by the military commander and by some people who support him.

My own observation and the observation of the Pacific Islands Forum observer team was that the election in Fiji was fair and free. There was a very high degree of integrity. There was an absolute determination by booth workers of all political parties to make sure that the election was in fact equitable, fair and free. I am appalled that in 2006 we would find the military commander of Fiji threatening the government. Because he is under some possibility of being charged with sedition because of his threats against the government, he is talking about having a coup in Fiji. I have to say that in 2006 this is absolutely unacceptable. The impact of a coup upon Fiji would be as devastating on the economy and the international standing of that country as the previous coups were.

One could understand that, if the election had not been fair and free, there might be a demand from the community to replace the government, but there is absolutely no doubt in my mind or indeed in the minds of all of the other observers that there was a very high degree of integrity in that election. There was a great degree of determination to make sure that the people of Fiji were able to choose the government they wanted. There was an absolute determination to make sure that the election was held on a democratic basis. Having said that, the constitution of Fiji has now been observed, the opposition Fiji Labour Party is included in the government, and the fact that we find this coup is being threatened is absolutely unacceptable. I want to salute the serving men and women of Australia’s armed forces, I want to recognise in particular those who were touched by this tragedy, and I want to say how much I am opposed to any possibility of a coup in Fiji. *(Time expired)*

Question agreed to.

Main Committee adjourned at 11.57 am
QUESTIONS IN WRITING

Human Services: Information Technology Expenditure
(Question No. 2793)

Mr Kelvin Thomson asked the Minister for Human Services, in writing, on 7 December 2005:

(1) What sum was spent on information technology projects in his department and each agency for which he is responsible for 2004-2005.

(2) What sum has been budgeted for information technology projects in his department and each agency for which he is responsible for (a) 2005-2006 and (b) 2006-2007.

(3) What are the details of each project for which funds have been budgeted or spent, including (a) its projected cost, (b) its actual cost, (c) the reasons for it, (d) for completed projects, whether they have achieved their intended outcomes, and (e) for projects not yet completed, whether they are on target to achieve their intended outcomes.

Mr Hockey—The answer to the honourable member’s question is as follows:
The Human Services agency information technology (IT) expenditure for 2004-05 and the budgeted IT expenditure for 2005 and 2006-07 is detailed in the table below.

Please see the attachments for a detailed view of each Human Services agency IT project for which funds have been budgeted or spent:
Attachment A - Child Support Agency
Attachment B - CRS Australia
Attachment C - Centrelink
Attachment D - Medicare Australia
Attachment E - Australian Hearing

DHS IT Expenditure

<table>
<thead>
<tr>
<th>Agency</th>
<th>Total IT spend 2004-05</th>
<th>Budgeted IT spend 2005-06</th>
<th>Budgeted spend 2006-07</th>
<th>Details of each project</th>
</tr>
</thead>
<tbody>
<tr>
<td>DHS (core)</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>CSA</td>
<td>$5,308,462</td>
<td>$5,069,871</td>
<td>Budget has not been finalised</td>
<td>Refer to Attachment A</td>
</tr>
<tr>
<td>CRS Australia</td>
<td>$13,600,000</td>
<td>$1,550,000</td>
<td>Budget has not been finalised but approximately $6,000,000 - $7,000,000 - $32,400,000</td>
<td>Refer to Attachment B</td>
</tr>
<tr>
<td>Centrelink</td>
<td>$41,192,000</td>
<td>$52,789,000</td>
<td>Budget has not been finalised</td>
<td>Refer to Attachment C</td>
</tr>
<tr>
<td>Medicare Australia</td>
<td>$41,400,000</td>
<td>$19,860,000</td>
<td>Budget has not been finalised</td>
<td>Refer to Attachment D</td>
</tr>
<tr>
<td>Australian Hearing</td>
<td>$1,954,855</td>
<td>Nil</td>
<td>Budget has not been finalised</td>
<td>Refer to Attachment E</td>
</tr>
<tr>
<td>Health Services Australia</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
</tbody>
</table>

QUESTIONS IN WRITING
Attachment A – Child Support Agency

2. CSA has budgeted $5,069,871 for IT projects in 2005-2006. No budget has been allocated for IT projects for 2006-2007 to date.
3. 2005-2006 IT projects for which funds were budgeted or spent are as follows:

<table>
<thead>
<tr>
<th>Project Name</th>
<th>2005-06 Budget</th>
<th>Actual Cost as at Dec 2005*</th>
<th>Reason for project</th>
<th>Have completed projects achieved outcomes</th>
<th>Are incomplete projects on target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuba Enhancements</td>
<td>$1,797,121.96</td>
<td>$820,456.53</td>
<td>Business improvements as identified and approved in the CSA Annual Business Plan</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Testing Tool</td>
<td>$282,000</td>
<td>$217,150</td>
<td>Provision of automated test solution &amp; tools to reduce overall cost and improve accuracy of test activities</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Business Intelligence &amp; Data Warehouse projects</td>
<td>$2,575,749.21</td>
<td>$1,443,772.22</td>
<td>To establish a Data Warehouse for an integrated reporting and performance management incorporating: Operational (Cuba) reporting Performance Monitoring Making Better Decisions (management reporting and analysis) Ad hoc query capability for stream based data analysts Workload management and planning</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>ESD (Outsourcer) Build</td>
<td>$415,000</td>
<td>$189,181.20</td>
<td>CSA Business Plan strategy – Implementation of CSA web capability to build service delivery channels for the future &amp; provide customer functionality online</td>
<td>N/A</td>
<td>Yes</td>
</tr>
</tbody>
</table>

All incomplete projects are on track for completion within budget
Attachment B – CRS Australia

1. CRS Australia spent $13,600,000 on IT projects in 2004-2005.

2. CRS Australia has budgeted $1,550,000 for IT projects in 2005-2006. The total budget for IT projects in 2006-2007 has not yet been finalised, but is expected to be approximately $6,000,000 - $7,000,000. Of this, the largest single component is a planned project to redevelop Case Management systems, with a proposed budget of $5,000,000.

3. 2004-2005 IT projects for which funds were budgeted or spent are as follows:

<table>
<thead>
<tr>
<th>Project Name</th>
<th>2004-05 Budget</th>
<th>Actual Cost</th>
<th>Reason for project</th>
<th>Have completed projects</th>
<th>Are incomplete projects on target</th>
</tr>
</thead>
<tbody>
<tr>
<td>IT Refresh project</td>
<td>$13,000,000</td>
<td>$11,600,000</td>
<td>Existing hardware and software were over four years old, and extremely outdated</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>SAP technical upgrade – version 3.1H to version 4.6C</td>
<td>$1,400,000</td>
<td>$1,200,000</td>
<td>SAP announced withdrawal of support for superseded version of their software</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Managed WAN – upgrade of network services</td>
<td>$554,000</td>
<td>$634,000</td>
<td>Improved speed of networked software, including email and web-based services</td>
<td>Yes</td>
<td>N/A</td>
</tr>
</tbody>
</table>
2005-2006 IT projects for which funds were budgeted or spent are as follows:

<table>
<thead>
<tr>
<th>Project Name</th>
<th>2005-06 Budget</th>
<th>Actual Cost</th>
<th>Reason for project</th>
<th>Have completed projects achieved outcomes</th>
<th>Are incomplete projects on target</th>
</tr>
</thead>
<tbody>
<tr>
<td>SAP upgrade – version 4.6C to version ECC5</td>
<td>$500,000</td>
<td>$66,000</td>
<td>Improved usability and flexibility; prerequisite for other development work</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Implementation of Business Intelligence and Employee Self Service systems</td>
<td>$850,000</td>
<td>N/A*</td>
<td>Improved reporting and performance analysis capabilities; reduction in administrative overheads associated with routine tasks such as booking leave and travel</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Installation and replacement of equipment racks in regional offices</td>
<td>$100,000</td>
<td>N/A*</td>
<td>Improved security of IT systems and reduction in maintenance costs</td>
<td>N/A</td>
<td>Yes</td>
</tr>
</tbody>
</table>

* As at 7 December 2005, these projects had not commenced.

2006-2007 IT projects for which funds were budgeted or spent are as follows:

<table>
<thead>
<tr>
<th>Project Name</th>
<th>2006-07 Budget</th>
<th>Actual Cost</th>
<th>Reason for project</th>
<th>Have completed projects achieved outcomes</th>
<th>Are incomplete projects on target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case management system redevelopment</td>
<td>$5,000,000</td>
<td>N/A</td>
<td>Improved service delivery; increased client satisfaction; better business process management</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
For each of the financial years listed, a number of much smaller IT projects have been undertaken, or are in planning. The total cost of all these projects in 2004-2005 did not exceed $200,000, and is not expected to exceed this figure in 2005-2006. Details of these projects are available if required. Attachment C – Centrelink

1. Centrelink spent $41,192,000 on IT projects in 2004-2005.
2. Centrelink has budgeted $52,789,000 for IT projects in 2005-2006. The sum budgeted for IT projects for 2006-2007 is $32,400,000.
3. The details requested for each project for which funds have been budgeted or spent are provided as follows. The amounts include both 2004-2005 and 2005-2006 figures. The actual costs for 2005-2006 are as at December 31, 2005.

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Projected Cost from 1 January 2004 to 30 June 06</th>
<th>Actual Cost from 1 July 2004 to 31 December 2005</th>
<th>Reason for project</th>
<th>Have completed projects achieved outcomes</th>
<th>Are incomplete projects on target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Archiving and Culling Engine</td>
<td>$790,000</td>
<td>$556,000</td>
<td>Building of an archiving and culling engine</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>IT Refresh</td>
<td>$93,981,000</td>
<td>$60,977,000</td>
<td>Commonwealth Government budget funded initiatives</td>
<td>N/A</td>
<td>Yes</td>
</tr>
</tbody>
</table>
1. Medicare Australia spent $41,400,000 on IT projects in 2004-2005.
2. Medicare Australia has budgeted $19,860,000 for IT projects in 2005-2006. Budgets for projects with an IT component for 2006-2007 have not yet been finalised.

3. 2004-2005 IT projects for which funds were budgeted or spent are as follows:

<table>
<thead>
<tr>
<th>Project Name</th>
<th>04-05 Budget</th>
<th>Actual Cost</th>
<th>Reason for project</th>
<th>Have completed projects achieved outcomes</th>
<th>Are incomplete projects on target</th>
</tr>
</thead>
<tbody>
<tr>
<td>100% Medicare</td>
<td>$328,895</td>
<td>$77,982</td>
<td>Legislative changes to the Medicare system benefits schedule to allow 100% rebate where safety net figure has been exceeded</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Activity Based Management System</td>
<td>$198,588</td>
<td>$209,189</td>
<td>To implement an activity based management system which provides effective and efficient channel unit cost data</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Aged Care e-Business</td>
<td>$1,548,620</td>
<td>$1,952,967</td>
<td>Build eBusiness channel for aged care payments</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Allied Health &amp; Dental</td>
<td>$323,790</td>
<td>$308,128</td>
<td>Legislative changes to the Medicare system to handle the Allied Health and Dental payments under the Strengthening of Medicare initiative</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Australian Childhood Immunisation Register (ACIR)</td>
<td>$608,093</td>
<td>$600,785</td>
<td>Enhance and maintain a database of consumer details</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Payments System</td>
<td>$342,750</td>
<td>$226,209</td>
<td>Project budget provided for the completion of enhancement work, required to meet policy changes, New and improved functionality to be added to the Australian Donor registrar</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Australian Organ Donor Register (AODR)</td>
<td>$510,000</td>
<td>$775,573</td>
<td>Internal system for managing budgets within the organisation</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Business Data Warehouse</td>
<td>$668,000</td>
<td>$657,241</td>
<td>Develop the business data warehouse</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Card Production</td>
<td>$388,547</td>
<td>$169,860</td>
<td>Market testing and preparation of RFT for the retendering of HIC card services</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Common Payment System</td>
<td>$1,559,115</td>
<td>$1,589,366</td>
<td>Acquisition of payment system to process payments online under PBS online initiative</td>
<td>Yes</td>
<td>N/A</td>
</tr>
</tbody>
</table>

QUESTIONS IN WRITING
<table>
<thead>
<tr>
<th>Project Name</th>
<th>04-05 Budget</th>
<th>Actual Cost</th>
<th>Reason for project</th>
<th>Have completed projects achieved outcomes</th>
<th>Are incomplete projects on target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concessional Entitlement Validation for PBS</td>
<td>$1,834,428</td>
<td>$789,262</td>
<td>Improve the entitlement checking of concessional benefits payable under the PBS and Medicare programs to ensure these benefits are provided only to those who are eligible to receive them</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Concessional Entitlement Validation for Medicare</td>
<td>$971,556</td>
<td>$417,809</td>
<td>Improve the entitlement checking of concessional benefits payable under the PBS and Medicare programs to ensure these benefits are provided only to those who are eligible to receive them</td>
<td>N/A</td>
<td>Project continued in 2005-2006</td>
</tr>
<tr>
<td>Consumer Directory</td>
<td>$1,507,865</td>
<td>$1,451,236</td>
<td>Enhance and maintain a database of consumer details</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Department of Veterans’ Affairs (DVA)</td>
<td>$55,684</td>
<td>$55,684</td>
<td>Legislative changes to the Department of Veterans’ Affairs system</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Deferred Act of Grace Payments</td>
<td>$479,129</td>
<td>$281,827</td>
<td>Legislative changes to the Medicare system to handle the Deferred Act of Grace Payments under the Strengthening of Medicare initiative</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>DVA Anaesthetics</td>
<td>$38,500</td>
<td>$56,084</td>
<td>Legislative changes to the DVA system</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>DVA Repatriation PBS (RPBS)</td>
<td>$1,039,225</td>
<td>$844,587</td>
<td>Systems required to upgrade Department of Veterans’ Affairs Repatriation Pharmaceutical Benefits Scheme authority processing</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>DVA HIC Online Paperless</td>
<td>$825,001</td>
<td>$553,981</td>
<td>To move Department of Veterans’ Affairs claiming through HIC Online to a paperless environment</td>
<td>N/A</td>
<td>Project continued and completed</td>
</tr>
<tr>
<td>ECLIPSE</td>
<td>$9,898,489</td>
<td>$7,783,500</td>
<td>Simplified billing for Private Health Insurers and hospitals available via an online system</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Enabling Consumers</td>
<td>$1,646,674</td>
<td>$226,817</td>
<td>Enable consumers to authenticate identity and request services online</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Evidence of Birth</td>
<td>$25,000</td>
<td>$28,141</td>
<td>Pilot for the Medicare registration of newborns at hospitals</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Extended Trading</td>
<td>$589,882</td>
<td>$456,513</td>
<td>To increase extended trading in Medicare Offices</td>
<td>Yes</td>
<td>N/A</td>
</tr>
</tbody>
</table>

QUESTIONS IN WRITING
<table>
<thead>
<tr>
<th>Project Name</th>
<th>04-05 Budget</th>
<th>Actual Cost</th>
<th>Reason for project</th>
<th>Have completed projects achieved outcomes*</th>
<th>Are incomplete projects on target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fact of Death</td>
<td>$420,588</td>
<td>$251,650</td>
<td>Implementation of a system for matching/updating Fact of Death Data (FODD) records on enrolment file</td>
<td>N/A</td>
<td>Project continued in 2005-2006</td>
</tr>
<tr>
<td>Location Specific Practice Numbers (LPSN) Phase 2</td>
<td>$180,379</td>
<td>$180,596</td>
<td>Legislative changes to the Medicare system to handle location specific practice numbers (LSPN)</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Medicare Private Ltd Separation</td>
<td>$874,529</td>
<td>$597,431</td>
<td>Separation of Medicare Australia systems from MPL systems</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Medical Indemnity Run Off Cover Scheme, Premium Support Scheme, Unified Medical Practitioners Support Program</td>
<td>$1,622,335</td>
<td>$1,271,943</td>
<td>Enhancements to IT systems to administer the Medical Indemnity Insurance Scheme</td>
<td>N/A</td>
<td>Project continued in 2005-2006</td>
</tr>
<tr>
<td>Medicare + Safety Net</td>
<td>$822,680</td>
<td>$785,821</td>
<td>Legislative changes to the Medicare system to handle the Medicare Safety Net payments under the Strengthening of Medicare initiative</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Medicare After Hours $10 Payment</td>
<td>$299,766</td>
<td>$134,836</td>
<td>Legislative changes to the Medicare system to handle the $10 after hours payments under the Strengthening of Medicare initiative</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Medicare Australia e-tax</td>
<td>$513,446</td>
<td>$490,088</td>
<td>Pilot joint venture between Australian Taxation Office and Medicare Australia to develop an interface between Medicare and tax returns</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Medicare Safety Net Customer Service Officer Enhancement</td>
<td>$1,592,865</td>
<td>$851,386</td>
<td>Internal improvements to streamline Medicare processing as part of the Safety Net Strengthening Medicare initiative</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>PBS Patient Resolution</td>
<td>$578,000</td>
<td>$549,672</td>
<td>Enables resolution of discrepancies between PBS Patients and Medicare Consumers</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Project Name</td>
<td>04-05 Budget</td>
<td>Actual Cost</td>
<td>Reason for project</td>
<td>Have completed projects achieved outcomes</td>
<td>Are incomplete projects on target</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>--------------</td>
<td>-------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>-------------------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>PRISM</td>
<td>$1,611,349</td>
<td>$1,997,369</td>
<td>Enables information to be recorded on possible suspected fraud and non compliance issues</td>
<td>N/A</td>
<td>Project continued in 2005/2006</td>
</tr>
<tr>
<td>Private Health Rebate</td>
<td>$312,668</td>
<td>$120,234</td>
<td>Enhancement to the 30% rebate scheme in accordance with legislation</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Project Accounting Phase 2</td>
<td>$150,306</td>
<td>$150,306</td>
<td>Implement project accounting module in SAP</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Pharmaceutical Benefits Scheme (PBS) Online</td>
<td>$6,866,123</td>
<td>$6,683,220</td>
<td>Introduce further enhancements and maintain an online solution for pharmacists claims</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>SmartCard Online Services</td>
<td>$4,068,953</td>
<td>$3,834,639</td>
<td>Deliver a smartcard registration system, installation of kiosks in each of the seven Medicare offices in Tasmania, implementation of the Customer Online product suit, and production and distribution of smartcards in Tasmania</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Provider Directory Systems</td>
<td>$2,100,000</td>
<td>$1,956,884</td>
<td>Enhance and maintain a database of provider details</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Specialist Loading</td>
<td>$300,405</td>
<td>$300,761</td>
<td>Legislative changes to the Medicare system to handle the Specialist Loading payments under the Strengthening of Medicare initiative</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Web Content Management System</td>
<td>$954,080</td>
<td>$1,034,493</td>
<td>A mechanism to update and maintain electronic versions of policy and procedures</td>
<td>N/A</td>
<td>Yes</td>
</tr>
</tbody>
</table>
### IT projects for which funds were budgeted or spent are as follows:

<table>
<thead>
<tr>
<th>Project Name</th>
<th>05-06 Budget</th>
<th>Actual Cost</th>
<th>Reason for project</th>
<th>Have completed projects achieved outcomes*</th>
<th>Are incomplete projects on target</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACIR 2005 Varicella/ IPV</td>
<td>$714,548</td>
<td>$147,413</td>
<td>Pay providers to notify the Department of Health persons who have acquired natural immunity for chicken pox</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Aged Care eBusiness</td>
<td>$1,048,677</td>
<td>$623,738</td>
<td>Rebuilding of a new system for Aged Care payments</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Aged Care Modernisation</td>
<td>$253,610</td>
<td>$173,260</td>
<td>Rebuilding of a new system for Aged Care payments</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Aged Care Transfer</td>
<td>$1,845,627</td>
<td>$586,289</td>
<td>Rebuilding of a new system for Aged Care payments</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Australian Organ Donor Register (AODR)</td>
<td>$30,000</td>
<td>$24,991</td>
<td>To provide improved, online registrations and registration acknowledgement functionality</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Bowel Cancer Screening Register</td>
<td>$1,534,693</td>
<td>$140,880</td>
<td>Part of the Australian Government’s Strengthening Cancer Care Package which included a national bowel cancer screening program</td>
<td>No</td>
<td>No**</td>
</tr>
<tr>
<td>Broadband for Health</td>
<td>$537,448</td>
<td>$68,372</td>
<td>To develop policy guidelines and build a processing system to handle Broadband for Health incentives applications and payments</td>
<td>No</td>
<td>No***</td>
</tr>
<tr>
<td>Budget Management System</td>
<td>$96,975</td>
<td>$33,961</td>
<td>To more effectively manage external and internal budget process through the automation of defined functions and the rework of the entire budget process</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Concessional Entitlement Validation for Medicare</td>
<td>$201,908</td>
<td>$54,861</td>
<td>Improve the entitlement checking of concessional benefits payable under the Medicare programs to endure these benefits are provided only to those who are eligible to receive them</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>DVA Paperless</td>
<td>$383,604</td>
<td>$402,849</td>
<td>To move Department of Veterans’ Affairs claiming through HIC Online to a paperless environment</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>ECLIPSE</td>
<td>$7,592,846</td>
<td>$2,079,785</td>
<td>Delivery of online claims for hospital claiming, remittance advice and overseas claiming</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Fact of Death Data</td>
<td>$126,296</td>
<td>$63,020</td>
<td>Implementation of a system for matching/updating Fact of Death Data (FODD) records on enrolment file</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Project Name</td>
<td>05-06 Budget</td>
<td>Actual Cost</td>
<td>Reason for project</td>
<td>Have completed projects</td>
<td>Are incomplete projects on target</td>
</tr>
<tr>
<td>--------------</td>
<td>-------------</td>
<td>-------------</td>
<td>--------------------</td>
<td>------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>Medical Indemnity Run Off Cover Scheme, Premium Support Scheme, Unified Medical Practitioners Support Program</td>
<td>$590,642</td>
<td>$287,122</td>
<td>Enhancements to IT systems to administer the Medical Indemnity Insurance scheme</td>
<td>No</td>
<td>No****</td>
</tr>
<tr>
<td>Online Services</td>
<td>$2,619,946</td>
<td>$2,053,657</td>
<td>The IT component of this project will provide the delivery of the consumer services which will be available online from the Medicare Australia website</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>PBS Reg 20 Safety Net Practice Incentive Program (PIP) Domestic Violence</td>
<td>$467,126</td>
<td>$271,647</td>
<td>Implement the Governments PBS Safety Net 20 day rule initiative</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>$155,400</td>
<td>$155,400</td>
<td>This initiative relates to payments to be paid to rural practice nurses (who have appropriate training), who will act as a point of contact in relation to domestic violence</td>
<td>No</td>
<td>No****</td>
</tr>
<tr>
<td>Prescription shopping PRISM</td>
<td>$500,000</td>
<td>$58,212</td>
<td>Integrate multiple systems into a single system</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>$118,104</td>
<td>$18,630</td>
<td>Enables information to be recorded on possible suspected fraud and non compliance issues</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Private Health Rebate Question and Answer Validation</td>
<td>$41,126</td>
<td>$41,126</td>
<td>Enhancement to the 30% rebate scheme in accordance with legislation</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>$406,706</td>
<td>$46,795</td>
<td>Enable system generated rejections based on responses received by prescribers requesting authority approvals</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Repatriation Pharmaceutical Benefits Scheme</td>
<td>$598,325</td>
<td>$94,955</td>
<td>Systems required to upgrade Department of Veterans’ Affairs Repatriation Pharmaceutical Benefits Scheme authority processing, including the implementation of the Restriction and Question and Answer framework</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Special Patient Contributions (12.5% Reduction)</td>
<td>$92,100</td>
<td>$92,100</td>
<td>Change to the listing of four drugs from section 85 of the schedule of Pharmaceutical Benefits section of the Schedule</td>
<td>Yes</td>
<td>N/A</td>
</tr>
</tbody>
</table>

* Indicates project complete as at 2 January 2006.

** Original date of 1 May 2006 extended by Department of Health and Ageing to 1 August 2006 to allow time to complete consultations.

*** The Broadband for Health project had three main components:
1. Practice registration – implemented on 7 May 2005 on schedule
2. Calculation and Payments component – implemented on 1 July 2006 – but had been delayed due to technical integration issues with the Pharmaceutical Benefits Scheme.
3. Adjustments component - delayed due shortage of staff with the particular IT skills required, due to be finalised by end of 2006-07
**** Delays caused by changes to program scope and delays in policy formulation.
***** Pending advice from policy department.

Attachment E – Australian Hearing
2. There are no significant projects for which funds have been budgeted in 2005-2006. Detailed planning for 2006-2007 has not yet been completed.
3. 2004-2005 IT projects for which funds were budgeted or spent are as follows:

<table>
<thead>
<tr>
<th>Project Name</th>
<th>2004-2005 Budget</th>
<th>Actual Cost</th>
<th>Reason for project</th>
<th>Have completed projects achieved outcomes</th>
<th>Are incomplete projects on target</th>
</tr>
</thead>
<tbody>
<tr>
<td>PC Refresh</td>
<td>$1,969,111</td>
<td>$1,954,855</td>
<td>To replace the outdated PC and laptop fleet with new hardware and operating systems</td>
<td>Yes</td>
<td>N/A</td>
</tr>
</tbody>
</table>

To prepare this response it has taken approximately 221 hours and 5 minutes at an estimated cost of $12,061.
Centrelink Payments
(Question No. 3585)

Mr Gibbons asked the Minister for Families, Community Services and Indigenous Affairs, in writing, on 30 May 2006:

(1) Is he aware that, in respect of certain Centrelink payments, a family home may be excluded as an asset to the disadvantage of home-owners in regional and rural areas?

(2) Is he aware that Centrelink places no upper limit upon the value of a principal place of residence, but that it applies different assessment criteria to farms with more than five acres of land, whether or not the land can be subdivided or produce income?

(3) Is he aware of any inequity in Centrelink’s treatment of regional, rural and metropolitan home owners?

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

Since the assets test’s introduction in 1985 a person’s principal home has been exempt from the assets test, as has up to two hectares of the land immediately adjacent to the home, if used for private purposes. Under the Social Security Act 1991 there is no upper limit placed on the value of the exemption under these provisions. The assessment criteria applies equally to city, regional and rural areas.

As part of the 2006-07 Budget the Australian Government announced that from 1 January 2007, Age Pensioners and Carer Payment recipients of age pension age may have the maximum amount of private land that can be exempt from the assets test increased from two hectares to encompass all land on the same title as the Age Pensioner’s or carer’s home. To benefit from this measure, carers and age pensioners must have a long-term (20 year) attachment to the land, the land must be primarily used for domestic purposes, and they must show that it is not reasonable for them to take alternative action that will enable them to use the land to support themselves.

Business Services Wage Assessment Tool
(Question No. 3811)

Mr Gibbons asked the Minister for Families, Community Services and Indigenous Affairs, in writing, on 8 August 2006:

(1) Can he confirm and guarantee that no existing disability employee will lose their place at a business service due to changes taking place to sheltered workshops or business services.

(2) Is the Business Services Wage Assessment Tool an appropriate and accurate means of measuring competency and productivity.

(3) Is he aware that some assessment workers have been uncomfortable using the Business Services Wage Assessment Tool and that these assessments have led to only approximately 5% of local disability employees achieving satisfactory results with 95% failing.

(4) Can he confirm that after assessments are undertaken disability employees will not have their wages reduced, but that their wages will either remain the same or increase.

(5) What has been the impact of wage assessments on employees and their families.

(6) Will the provision of “meaningful futures” for disability employees be maintained.

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

I can guarantee that no employee will lose their place in a business service as a result of reform to disability services.

The Business Services Wage Assessment Tool has been independently assessed as an appropriate and accurate means of measuring competency and productivity.
I am not aware of any discomfort with the Business Services Wage Assessment Tool from trained and qualified CRS Australia wage assessors who have undertaken approximately 9,000 Business Service Wage Assessment Tool assessments.

Whether a person’s wage is lowered because of reduced productivity will depend on the industrial arrangements that apply to individual business services.

The impact of wage assessments on employees and their families has been generally positive and I am pleased to report that, on average, wages have increased.

The Australian Government is committed to building the viability of business services and in turn, providing employment opportunities for people with a disability, enabling them to enjoy the same basic rights and opportunities available to all working Australians.

Commonwealth Expenditure Estimates
(Question No. 3957)

Mr Tanner asked the Minister for Agriculture, Fisheries and Forestry, in writing, on 16 August 2006:

For 2007-08 to 2009-10, what are the latest Commonwealth expenditure estimates, including payments made pursuant to relevant legislation, for the following agencies, programs or appropriations: (a) Cotton Research and Development Corporation; (b) Sugar Research and Development Corporation; (c) Forest and Wood Products Research and Development Corporation; (d) Grains Research and Development Corporation; (e) Australian Pesticides and Veterinary Medicines Authority; (f) Australian Meat and Livestock Corporation Act 1997, s 63(2) – payments to industry marketing body; (g) Australian Meat and Livestock Corporation Act 1997 s 64(2) – payments to industry research body; (h) Australian Meat and Livestock Corporation Act 1997 s 64A(2) – payments to the livestock export marketing body; (i) Australian Meat and Livestock Corporation Act 1997 s 66(1) – Commonwealth contribution to industry research body; (k) Australian Wine and Brandy Corporation Act 1980, s 32; (l) Dairy Produce Act 1986, s 6(1); (m) Egg Industry Service Provision Act 2002, s 8(1); (n) Primary Industries and Energy Research and Development Act 1980, s 30(3) – Against R&D Corporation – Other Grains; (o) Primary Industries and Energy Research and Development Act 1980, s 30(3) – Rural Industries R&D Corporation; (p) Primary Industries and Energy Research and Development Act 1980, s 30(3) – Sugar R&D Corporation; (q) Primary Industries and Energy Research and Development Act 1980, s 30(3) – Fisheries R&D Corporation; and (s) Wheat Marketing Act 1989, s 10A(2).

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

The answer is detailed in Attachment A.

It should be noted that the latest Commonwealth expenditure estimates for the agencies listed in the Question on Notice consist of industry levies and Commonwealth matching of those levies under legislation. The value of the levy revenue is subject to a range of variables, depending on the type of levy, such as production, market prices, seasonal conditions and economic factors. In addition, the value of the levy collections also impacts on the value of the Commonwealth matching. The estimates in the early years are regularly adjusted and accordingly are relatively accurate. The forward estimates are based on industry knowledge at the time which can be, variable.
### Attachment A

**EXPENDITURE ESTIMATES FOR THE FOLLOWING AGENCIES, PROGRAMMES OR APPROPRIATIONS FOR PERIOD 2007-08 TO 2009-10**

<table>
<thead>
<tr>
<th>Agency, programme or appropriation</th>
<th>2007-08 ($'000)</th>
<th>2008-09 ($'000)</th>
<th>2009-10 ($'000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Cotton Research and Development Corporation</td>
<td>13,496</td>
<td>12,747</td>
<td>11,820</td>
</tr>
<tr>
<td>(b) Sugar Research and Development Corporation</td>
<td>11,656</td>
<td>10,952</td>
<td>10,744</td>
</tr>
<tr>
<td>(c) Forest and Wood Products Research and Development Corporation</td>
<td>8,552</td>
<td>8,584</td>
<td>8,617</td>
</tr>
<tr>
<td>(d) Grains Research and Development Corporation</td>
<td>130,600</td>
<td>130,600</td>
<td>116,000</td>
</tr>
<tr>
<td>(e) Australian Pesticides and Veterinary Medicines Authority Act 1997, s 63(2) – payments to industry marketing body</td>
<td>23,779</td>
<td>24,620</td>
<td>25,489</td>
</tr>
<tr>
<td>(f) Australian Meat and Livestock Corporation Act 1997, s 64(2) – payments to industry research body</td>
<td>64,146</td>
<td>64,024</td>
<td>64,024</td>
</tr>
<tr>
<td>(g) Australian Meat and Livestock Corporation Act 1997, s 64A(2) – payments to the livestock export marketing body</td>
<td>20,880</td>
<td>20,866</td>
<td>20,866</td>
</tr>
<tr>
<td>(h) Australian Meat and Livestock Corporation Act 1997, s 64B(2) – payments to the livestock export research body</td>
<td>2,434</td>
<td>2,556</td>
<td>2,556</td>
</tr>
<tr>
<td>(i) Australian Meat and Livestock Corporation Act 1997, s 66(1) – Commonwealth contribution to industry research body</td>
<td>270</td>
<td>284</td>
<td>284</td>
</tr>
<tr>
<td>(j) Australian Wine and Brandy Corporation Act 1980, s 32</td>
<td>6,211</td>
<td>6,609</td>
<td>6,609</td>
</tr>
<tr>
<td>(m) Egg Industry Service Provision Act 2002, s 8(1)</td>
<td>4,900</td>
<td>4,900</td>
<td>4,900</td>
</tr>
<tr>
<td>(n) Primary Industries and Energy Research and Development Act 1980, s 30(3) – Grains R&amp;D Corporation – Other Grains</td>
<td>42,696</td>
<td>42,696</td>
<td>42,696</td>
</tr>
<tr>
<td>(o) Primary Industries and Energy Research and Development Act 1980, s 30(3) – Grape and Wine R&amp;D Corporation</td>
<td>25,315</td>
<td>25,315</td>
<td>25,315</td>
</tr>
<tr>
<td>(p) Primary Industries and Energy Research and Development Act 1980, s 30(3) – Rural Industries R&amp;D Corporation</td>
<td>5,312</td>
<td>5,312</td>
<td>5,312</td>
</tr>
<tr>
<td>(q) Primary Industries and Energy Research and Development Act 1980, s 30(3) – Sugar R&amp;D Corporation</td>
<td>10,712</td>
<td>10,712</td>
<td>10,712</td>
</tr>
<tr>
<td>(r) Primary Industries and Energy Research and Development Act 1980, s 30A(3) – Fisheries R&amp;D Corporation</td>
<td>16,415</td>
<td>16,525</td>
<td>17,116</td>
</tr>
<tr>
<td>(s) Wheat Marketing Act 1989, s 10A(2)</td>
<td>3,716</td>
<td>3,716</td>
<td>-</td>
</tr>
</tbody>
</table>

---

**Television and Radio Programming**

*(Question No. 3982)*

Mr Adams asked the Minister representing the Minister for Communications, Information Technology and the Arts, in writing, on 4 September 2006:
In respect of the availability of television services in Tasmania: (a) how many households in each State and Territory of mainland Australia do not have access to their own State or Territory ABC television and radio programming; (b) which States and Territories have access to their own State and Territory ABC television and radio programming via satellite; and (c) how many households in Tasmania do not have access to local ABC television and radio programming.

Mr McGauran—The Minister for Communications, Information Technology and the Arts has provided the following answer to the honourable member’s question:

(a) The ABC has advised that, at the end of June 2006, an estimated 95.01 percent of the Australian population in mainland States and Territories had access to local ABC analogue terrestrial television, an estimated 92.07 percent of the Australian population in mainland States and Territories had access to local ABC digital terrestrial television, and an estimated 96.38 percent of the Australian population in mainland States and Territories had access to ABC Local Radio. This would suggest that, at the end of June 2006, an estimated 4.99 percent, 7.93 percent and 3.62 percent of the Australian population in mainland States and Territories did not have access to ABC analogue terrestrial television, ABC digital terrestrial television, and ABC Local Radio respectively.

(b) New South Wales, Northern Territory, Queensland, South Australia, Western Australia.

(c) The ABC has advised that, at the end of June 2006, an estimated 95 percent of the Tasmanian population had access to ABC analogue terrestrial television, an estimated 89.89 percent of the Tasmanian population had access to ABC digital terrestrial television, and that an estimated 99.23 percent of the Tasmanian population had access to ABC Local Radio. This would suggest that, at the end of June 2006, an estimated 5 percent, 10.11 percent and 0.67 percent of the Tasmanian population did not have access to ABC analogue terrestrial television, ABC digital terrestrial television, and ABC Local Radio respectively.

Crosby/Textor Contracts

(Questions Nos 4031 and 4041)

Mr Kelvin Thomson asked the Minister for Families, Community Services and Indigenous Affairs and the Minister for Community Services, in writing, on 4 September 2006:

(1) What contracts, if any, were granted to Crosby/Textor by the Minister, or by any departments or agencies in the Minister’s portfolio, in (a) 2004-05 and (b) 2005-06.

(2) What contracts, if any, have been awarded to Crosby/Textor for (a) 2006-07 or (b) 2007-08.

(3) In respect of each contract referred to in Parts (1) and (2), (a) what was, or is, the cost and (b) what work was, or will be, carried out by Crosby/Textor pursuant to that contract.

Mr Brough—On behalf of the Minister for Community Services and myself the answer to the honourable member’s question is as follows:

During 2004-05, The Child Support Agency (which was part of the former Department of Family and Community Services to October 2005) granted Crosby/Textor two contracts. There were no contracts awarded to Crosby/Textor in 2005-06 nor any to date for 2006-07 and 2007-08

In respect of the contracts referred to in Part (1), the Child Support Agency has advised:

• The cost of the contracts referred to in Part 1 above, in 2004-05 was $23,446.99 (excl GST), being two contracts, one valued at $20,544.63 (excl GST), and the other at $2,902.36 (excl GST).

• The work conducted under the two contracts in 2004-05 was: a comprehensive review and evaluation of the CSA Communications Strategy; and, the drafting of a revised Communication Strategy.
Veterans: Gold Card
(Question No. 4107)

Mr Fitzgibbon asked the Minister for Veterans’ Affairs, in writing, on 6 September 2006:
(1) How many veterans in the federal electorate of Hunter hold a Gold Card.
(2) How many medical specialists in the federal electorate of Hunter currently provide medical services to veterans holding a Gold Card.
(3) How many medical specialists in the federal electorate of Hunter provided medical services to veterans holding a Gold Card in the financial years:
   (a) 2003-04.
   (b) 2004-05, and
   (c) 2005-06.
(4) How many veterans living in the federal electorate of Hunter, who hold a Gold Card, sought treatment from a medical specialist in
   (a) Newcastle, and
   (b) Sydney in the financial years:
      (i) 2003-04.
      (ii) 2004-05, and
      (iii) 2005-06.
(5) How many medical specialists in the federal electorate of Hunter refuse to treat veterans who hold a Gold Card; and why.

Mr Billson—The answer to the honourable member’s question is as follows:
(1) 809.
(2) 307.
(3) (a) 316.
   (b) 324.
   (c) 342.
(4) (a) (i) 488.
      (ii) 498.
      (iii) 502.
   (b) (i) 82.
      (ii) 82.
      (iii) 82.
(5) Data is not available regarding refusal to accept a Gold Card. However my Department reports that it has not been approached in recent times regarding any refusals.

Commonwealth Scientific and Industrial Research Organisation
(Question No. 4170)

Mr Murphy asked the Minister representing the Minister for the Environment and Heritage, in writing, on 7 September 2006:
(1) Has he seen the program entitled ‘Greenhouse Mafia’, which aired on the Four Corners program on 13 February 2006; if not, why not.
(2) Is he aware that Dr Graeme Pearman, former CSIRO Climate Director, was the recipient of a UN Environmental Program Global award in 1989, awarded an Order of Australia in 1999 and awarded a Federation Medal in 2003.

(3) Is he aware of Dr Pearman’s allegations, reported on the Four Corners program of 13 February 2006, that he was advised he “couldn’t say anything that indicated I disagreed with current government policy”; if not, why not.

(4) Has he spoken to managers at the CSIRO regarding what scientists can, cannot, should or should not say in the course of their duties.

(5) Has he conducted an investigation into his office to determine whether a member of his staff has spoken to managers at the CSIRO regarding what scientists can, cannot, should or should not say in the course of their duties; if not, why not; if so, what are the details of that investigation.

(6) Has he conducted an investigation into the Department of the Environment and Heritage to determine whether a member of his staff has spoken to managers at the CSIRO regarding what scientists can, cannot, should or should not say in the course of their duties; if not, why not; if so, what are the details of that investigation.

(7) Can he confirm that the CSIRO charter contains provisions which enshrine the independence of CSIRO scientists from all departments and the Government.

**Mr Truss**—The Minister for the Environment and Heritage has provided the following answer to the honourable member’s question:

(1) I have seen the programme in question and I reject the suggestion that this Government has anything to hide when it comes to the science of climate change. On the contrary, we have a record of keeping the Australian people well informed. The book *Climate Change: an Australian Guide to the Science and Potential Impacts*, edited by Dr Barrie Pittock is a prime example. This book explained the science clearly and factually. It is widely regarded as an excellent synthesis. More recently, I released *Stronger Evidence but New Challenges: Climate Change Science 2001-2005* by Professor Will Steffen that explains important recent advances in climate change science.

(2) Yes.

(3) Yes.

(4) and (5) and (6) I have not spoken to managers at CSIRO about this matter and neither has anyone in my staff or my Department to the best of my knowledge.

(7) I am advised that it does.

**Maternity Allowance**

*(Question No. 4171)*

**Mr Quick** asked the Minister for Family, Community Services and Indigenous Affairs, in writing, on 11 September 2006:

What are the statistics by (a) age and (b) State/Territory for all persons who have claimed Maternity Allowance since it was increased in 2004.

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

The Maternity Payment of $3,000 was introduced on 1 July 2004, and replaced the income-tested Maternity Allowance and Baby Bonus. The rate of Maternity Allowance was $842.64 and the rate of Baby Bonus was subject to the mother’s income in the base year.

While most customers paid after 1 July 2004 were paid Maternity Payment, in the early part of 2004-05 about 22,300 customers were paid the former Maternity Allowance. These have been included in the data below.
(a) The following table shows the number of claimants by age at date of payment.

<table>
<thead>
<tr>
<th>Age</th>
<th>Claimants</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 20</td>
<td>22,465</td>
</tr>
<tr>
<td>20 - 24</td>
<td>72,774</td>
</tr>
<tr>
<td>25 - 29</td>
<td>134,251</td>
</tr>
<tr>
<td>30 - 34</td>
<td>176,854</td>
</tr>
<tr>
<td>35 - 39</td>
<td>94,791</td>
</tr>
<tr>
<td>40 +</td>
<td>25,279</td>
</tr>
<tr>
<td>TOTAL</td>
<td>526,414</td>
</tr>
</tbody>
</table>

(b) The following table shows the number of claimants by State/Territory.

<table>
<thead>
<tr>
<th>State/Territory</th>
<th>Claimants</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
<td>8,501</td>
</tr>
<tr>
<td>NSW</td>
<td>176,727</td>
</tr>
<tr>
<td>NT</td>
<td>7,331</td>
</tr>
<tr>
<td>Qld</td>
<td>107,643</td>
</tr>
<tr>
<td>SA</td>
<td>35,465</td>
</tr>
<tr>
<td>Tas</td>
<td>11,906</td>
</tr>
<tr>
<td>Vic</td>
<td>126,346</td>
</tr>
<tr>
<td>WA</td>
<td>51,797</td>
</tr>
<tr>
<td>Unknown</td>
<td>698</td>
</tr>
<tr>
<td>TOTAL</td>
<td>526,414</td>
</tr>
</tbody>
</table>

Cross-Media Ownership Rules

(Question No. 4333)

Mr Murphy asked the Minister representing the Minister for Communications, Information Technology and the Arts, in writing, on 12 September 2006:

(1) Did the Minister see a report on 11 September 2006 in *The Australian Financial Review* titled “Media bills on fast track to approval”.

(2) Can the Minister confirm that part of the report that reads: “There are significant disputes over the repeal of cross-media rules that prevent a company that owns one type of media—radio, print or TV—owning another in the same market. Senator Coonan wants to allow companies the right to own all three as long as there are at least five media operators in mainland state capitals and four in other areas”.

(3) Does this mean that the Government’s proposed media reform bill will allow our two biggest media companies (News Limited and Publishing and Broadcasting Limited) to own newspapers, a free-to-air television network, a pay television network and radio stations in the one market; if so, why, and does the Government have advice that this is in the public interest or good for Australia’s democracy.

Mr McGauran—The Minister for Communications, Information Technology and the Arts has provided the following answer to the honourable member’s question:

(1) Yes.

(2) The Broadcasting Services Amendment (Media Ownership) Act 2006 prohibits the control of more than 2 out of the 3 regulated media platforms in a licence area. This will prevent mergers of the three media platforms in a licence area – commercial radio, associated newspapers and commercial television – and restrict media mergers to no more than two of those groups.

(3) Refer to the answer to part (2).
Mr Martin Ferguson asked the Minister representing the Minister for Finance and Administration, in writing, on 14 September 2006:

In respect of the proposed sale of Medibank Private, what is the itemised cost of action associated with the sale?

Mr Costello—The Minister for Finance and Administration has supplied the following answer to the honourable member’s question:

As at 31 October 2006, the Department of Finance and Administration’s itemised costs of actions (including GST) associated with the sale of Medibank Private Limited are:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Legal Advice - Blake Dawson Waldron, Australian Government Solicitor</td>
<td>$446,694.70</td>
</tr>
<tr>
<td>(b) Business Advice - Carnegie, Wylie &amp; Company</td>
<td>$318,206.57</td>
</tr>
<tr>
<td>(c) Process Advice – TressCox</td>
<td>$146,847.76</td>
</tr>
<tr>
<td>(d) Administrative expenses (including expenses relating to travel and internal resourcing)</td>
<td>$266,497.11</td>
</tr>
<tr>
<td>Total</td>
<td>$1,178,246.14</td>
</tr>
</tbody>
</table>

Mr Kelvin Thomson asked the Treasurer, in writing, on 14 September 2006:

(1) At 12 September 2006, what office space rented by the Minister’s department was vacant.

(2) In respect of vacant office space identified in Part (1), (a) from what date has it been vacant, (b) how long will it remain vacant, (c) what is the monthly rental cost and (d) how long will the department continue to pay rental.

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

(1) No office space rented by the department is vacant.

(2) Not applicable

Mr Kelvin Thomson asked the Attorney-General, in writing, on 14 September 2006:

(1) At 12 September 2006, what office space rented by the Minister’s department was vacant.

(2) In respect of vacant office space identified in Part (1), (a) from what date has it been vacant, (b) how long will it remain vacant, (c) what is the monthly rental cost and (d) how long will the department continue to pay rental.

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

I am advised that the Attorney-General’s Department did not have any vacant office space as at 12 September 2006.

Mr Kelvin Thomson asked the Minister representing the Minister for Communications, Information Technology and the Arts, in writing, on 14 September 2006:
(1) At 12 September 2006, what office space rented by the Minister’s department was vacant.

(2) In respect of vacant office space identified in Part (1), (a) from what date has it been vacant, (b) how long will it remain vacant; (c) what is the monthly rental cost and (d) how long will the department continue to pay rental.

Mr McGauran—The Minister for Communications, Information Technology and the Arts has provided the following answer to the honourable member’s question:

(1) As at 12 September 2006 the Department of Communications, Information Technology and the Arts did not have any vacant office space under its control.

(2) Does not apply.

Iraq

(Question No. 4780)

Mr Kelvin Thomson asked the Minister for Foreign Affairs, in writing, on 16 October 2006:

(1) Is he aware of the article titled ‘Mortality after the 2003 invasion of Iraq: a cross-sectional cluster sample survey’, which appeared in The Lancet, October 2006, and which estimates that approximately 654,965 excess Iraqi deaths have resulted from the war; if so, is the article accurate.

(2) Has his department (a) undertaken any research, (b) sought any foreign advice or (c) received any foreign advice in respect of Iraqi deaths resulting from the war.

(3) Does his department have alternate estimates of excess Iraqi deaths as a consequence of the war; if so, what are those figures.

(4) Has he received any (a) foreign and (b) departmental advice about the accuracy of the Lancet article; if so, what advice has he received.

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

(1) Yes. The estimate of excess Iraqi deaths published in The Lancet is not credible.

(2 & 3) There are no authoritative estimates since March 2003 of the total number of Iraqi civilian casualties over this period.

(4) Advice to me is that the estimate of excess Iraqi deaths published in The Lancet is not credible.

Wide Canvas Country: Broken Hill Australia-no artificial additives

(Question No. 4801)

Mr Jenkins asked the Minister for Transport and Regional Services, in writing, on 16 October 2006:

In respect of the Wide Canvas Country: Broken Hill Australia-no artificial additives glossy colour booklet, labelled “An Australian Government Initiative”, that is currently being distributed throughout his electorate: (a) was the booklet produced by his department; if so, under which program; if not, under whose auspice was the booklet produced; (b) if the booklet was produced by another department, why was the foreword not written by the Minister of that department; (c) what negotiations took place between his office and the office of the other Minister to ensure that the responsible Minister was omitted from the booklet; (d) have any similar booklets or publications been produced for regions in other States or electorates; if so, will he provide a list of those publications and a copy of each; (e) how much did the booklet cost to produce, including figures for design, printing and distribution; (f) how many copies were printed; (g) to whom, and how were the booklets distributed; (h) how were the contracts for the printing, design and distribution let; (i) were the contracts let in accordance with the Commonwealth Procurement Guidelines; and (j) by which suppliers was the booklet designed, printed and distributed.
Mr Vaile—The answer to the honourable member’s question is as follows:

(a) The booklet was produced with funding from the Regional Assistance Program administered by the Department of Transport and Regional Services. The grant was managed by the Outback NSW Area Consultative Committee (ACC) who were eligible applicants under the Regional Assistance Program.

(b) The booklet was produced by the ACC as part of an integrated tourism destination marketing project.

(c) Not Applicable – see response to (b).

(d) A variety of projects that promoted regional development were funded under the Regional Assistance Program which operated from 1 July 1997 to 30 June 2003. Information is not available regarding how many individual projects involved production of a publication.

(e) The booklet cost $356,280 (GST excl) including concept, artwork, photography, design, printing and distribution.

(f) 304,000 copies were printed.

(g) Two copies were provided to every household in Broken Hill Shire, Central Darling Shire and Unincorporated area of NSW. Copies were also available at Broken Hill visitor information centre for tourists and locals. Copies were sent to callers in response to enquiries regarding Broken Hill as a tourism destination. The Visitor Information Centre coordinates and responds to these calls.

(h) A selective tender process was conducted by the project steering committee. Five companies were asked to tender based on recommendations by local tourism industry stakeholders. A Steering Committee reviewed tenders and made the selection. As advised by the ACC the successful tender was selected based on artistic concepts and price competitiveness.

(i) The contracts were let by the ACC in accordance with their requirements under their funding agreement with the Department.

(j) The booklet was designed and printed by Kennedy Rea Pty Ltd of Sydney. Distribution was by Broken Hill City Council.

Human Rights: Saudi Arabia

(Question No. 4802)

Mr Danby asked the Minister for Foreign Affairs, in writing, on 16 October 2006:

(1) Can he confirm that Ms Waheja al-Huwaider, a Saudi Arabian journalist and women’s rights campaigner, was summoned in early October to Intelligence Headquarters for attempting to organise an event calling for greater rights for women.

(2) Can he confirm that Ms Waheja was arrested by Saudi security forces while staging a solo demonstration with a placard reading “give women their rights”.

(3) Can he confirm that Ms Waheja had her passport confiscated just before she was due to fly to Europe and the US to address a series of conferences, a move which also prevents her from returning to her home in Bahrain to care for her son.

(4) What steps has he taken to protest against the official harassment of Ms Waheja and the denial of basic rights for women in Saudi Arabia.

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

(1) Enquiries made by the Australian Embassy in Riyadh confirm this report.

(2) Enquiries made by the Australian Embassy in Riyadh confirm this report.
(3) On the basis of enquiries made by the Australian Embassy in Riyadh I understand Ms Wajeha al-Huwaider had her passport confiscated but has since had her passport returned and has undertaken international travel.


Human Rights: China
(Question No. 4803)

Mr Danby asked the Minister for Foreign Affairs, in writing, on 16 October 2006:

(1) Is he aware that, on 24 August, the blind Chinese human rights activist Mr Chen Guangcheng was sentenced to four years and three months’ imprisonment on charges of “deliberately damaging property and gathering a mob to disrupt traffic” as a result of his campaigns in support of the rights of people with disabilities and of landless peasants.

(2) Is he aware that Mr Chen was denied the assistance of the defence lawyers of his choice, and was instead assigned court-appointed lawyers, and that his trial failed to meet internationally recognised standards of justice and fairness.

(3) Is he aware that Ms Yuan Weijing, Mr Chen’s wife, has been repeatedly harassed by Chinese authorities since her husband was arrested, including being stopped and detained by police on 3 October and prevented from visiting her parents.

(4) What steps has he taken to protest against the trial and imprisonment of Mr Chen Guangcheng and the official harassment of Ms Yuan Weijing, and will he raise these cases at the next meeting of the Australia-China Human Rights Dialogue.

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

(1) Yes.

(2) Yes, I am aware of such reports.

(3) Yes, I am aware of such reports.

(4) Our Embassy in Beijing has raised Mr Chen’s case with the Chinese authorities on four occasions. Most recently (18 October 2006), our Embassy expressed concern about the apparent lack of due process in Chen’s trial, and the harshness of the sentence. It urged China to uphold lawyers’ rights to practise freely and without harassment. Our Embassy has also raised Australia’s concern about reports of harassment of family members of prisoners or detainees.

Australia will continue to raise Mr Chen’s case with the Chinese authorities as appropriate.

Prime Minister: Security Arrangements
(Question No. 4812)

Ms Annette Ellis asked the Prime Minister, in writing, on 17 October 2006:

Since coming to office in 1996, what sum has been spent by the Commonwealth Government on security staff accompanying his morning exercise routine in respect of (a) salaries, (b) travel allowances, (c) travel and (d) accommodation.

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

Protective security arrangements for holders of high office are coordinated by the Protective Security Coordination Centre within the Attorney-General’s Department in consultation with the Australian Federal Police, and state police as relevant.
It is not possible to separately identify the costs sought.

**Smoking Regulations**

(Question No. 4813)

Ms Annette Ellis asked the Minister for Defence, in writing, on 17 October 2006:

1. What are the regulations relating to Australian Public Service employees smoking within, and in the vicinity of, the Department of Defence Russell Offices in Canberra.
2. If there are any prohibitions against smoking within, or directly outside the building, including within eating areas for employees, is there signage indicating the regulations.
3. In respect of the regulations identified in Part (1), (a) how is their effectiveness monitored, (b) how are they enforced and (c) what consequences do employees face if they ignore the regulations.

Dr Nelson—The answer to the honourable member’s question is as follows:

1. The legislative regulations relating to Australian Public Service employees are described within the Occupational Health and Safety (Commonwealth Employment) Act 1991 that mandates employers are to provide a safe place of work. Defence policy on smoking within the workplace is outlined within the Defence Safety Manual. The policy prohibits smoking within all Defence workplaces. Smoking is permitted in outdoor environments only where the following criteria are met:
   - The area must have a constant movement of substantially fresh air that immediately dissipates tobacco smoke.
   - A smoker is not in the proximity of non-smokers. Smokers are not to congregate around entry and exit points of buildings or in close proximity to buildings where smoke might enter.
   - There are no flammable or other hazardous substances present.

   To achieve the intention of the policy, an exclusion zone has been created around each of the Russell buildings by the use of ‘No Smoking Beyond This Point’ signs. This exclusion zone extends out approximately 20 metres from the entrance of buildings.

2. Yes.

3. (a) Defence does not have an active monitoring program. Rather, Defence conducts an educational and awareness process for employees. Defence Smoke-Free Workplaces policy is promulgated, through a news article, to all Canberra based personnel on a quarterly basis through the Defence intranet.
   (b) Defence relies on the reporting of any incidents to the Regional Safety Coordinator. Offenders, if identified, will be reacquainted with Defence policy and the requirements of the employee to abide with that policy.
   (c) Consequences for ignoring Defence policy could include a breach of the Defence Code of Conduct and Australian Public Service Values and, in the worst case, a potential breach of the Occupational Health and Safety (Commonwealth Employment) Act 1991.

**Asia-Pacific Economic Cooperation 2007 Meetings**

(Question No. 4820)

Mr Melham asked the Minister for Foreign Affairs, in writing, on 19 October 2006:

1. In respect of the preparations for the Asia-Pacific Economic Cooperation (APEC) 2007 meetings which will be held in Australia, what has been the total cost to the Department of Foreign Affairs and Trade to date, including (a) administrative expenses, (b) accommodation and property management, (c) travel, (d) security and (e) all other expenses.
(2) What is the projected total cost to the Department of Foreign Affairs and Trade of holding the APEC 2007 meetings, including (a) administrative expenses, (b) accommodation and property management, (c) travel, (d) security and (e) all other expenses.

(3) How many Department of Foreign Affairs and Trade officers are primarily engaged on preparations for the APEC 2007 meetings.

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

(1) As at 30 September 2006, the total cost to the Department of Foreign Affairs and Trade in respect of preparations for APEC 2007 was $2,486,013 including:

(a) Administrative expenses - $91,266
(b) Accommodation and property management - $221,725
(c) Travel - $302,958
(d) Security - $0
(e) Other – $1,870,064*

(2) The projected total cost to the Department of Foreign Affairs and Trade of holding the APEC 2007 meetings is $13,833,000. This includes:

(a) Administrative expenses - $1,739,775
(b) Accommodation and property management - $367,550
(c) Travel - $834,558
(d) Security - $0
(e) Other – $10,891,117*

*This amount includes funding to support the APEC Business Advisory Council (ABAC), the Pacific Economic Cooperation Council (PECC), and the Australian APEC Study Centre Consortium (ASC).

(3) The Department of Foreign Affairs and Trade staffs an APEC Branch of fifteen (15) officers working primarily on APEC issues. To support APEC 2007, additional staff are being assigned to an expanded APEC Taskforce engaged on preparations for the APEC 2007 meetings and the Department’s ongoing responsibilities in relation to APEC. As at 25 October 2006, there were a total of twenty-eight (28) staff members in the Taskforce.

Asia-Pacific Economic Cooperation 2007 Meetings

(Question No. 4821)

Mr Melham asked the Minister for Defence, in writing, on 19 October 2006:

(1) In respect of the preparations for the Asia-Pacific Economic Cooperation (APEC) 2007 meetings which will be held in Australia, what has been the total cost to the Department of Defence to date, including (a) administrative expenses, (b) accommodation and property management, (c) travel, (d) security and (e) all other expenses.

(2) What is the projected total cost to the Department of Defence of holding the APEC 2007 meetings, including (a) administrative expenses, (b) accommodation and property management, (c) travel, (d) security and (e) all other expenses.

Dr Nelson—The answer to the honourable member’s question is as follows:

(1)

<table>
<thead>
<tr>
<th>Category</th>
<th>Actuals</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>0.007</td>
<td>Costs incurred for general administration expenses.</td>
</tr>
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</table>
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<table>
<thead>
<tr>
<th>Category</th>
<th>Actuals</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation/Property</td>
<td>-</td>
<td>Costs incurred for preliminary planning and travel.</td>
</tr>
<tr>
<td>Travel</td>
<td>0.035</td>
<td></td>
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<tr>
<td>Security</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Other Expenses</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>0.042</td>
<td></td>
</tr>
</tbody>
</table>

(2) The projected total cost is $19.735m, which includes the $0.042m in part (1).

<table>
<thead>
<tr>
<th>Category</th>
<th>Estimate</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>2.584</td>
<td>Includes planning, administration, site survey and reconnaissance expenses.</td>
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<tr>
<td>Accommodation/Property</td>
<td>3.419</td>
<td>Includes base support costs and minor facility upgrades.</td>
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<tr>
<td>Travel</td>
<td>6.525</td>
<td>Includes the transport of Australian Defence Force personnel and equipment as well as other general transport expenses.</td>
</tr>
<tr>
<td>Security</td>
<td>1.546</td>
<td>Includes security guards/works at Defence establishments.</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>5.661</td>
<td>Includes personnel, communication and other general support costs.</td>
</tr>
<tr>
<td>Total</td>
<td>19.735</td>
<td></td>
</tr>
</tbody>
</table>

Tourism Australia
(Question No. 4826)

Mr Martin Ferguson asked the Minister for Small Business and Tourism, in writing, on 30 October 2006:

Further to her response to question No. 3947 (Hansard, 18 October 2006, page 159) concerning her visit to London in March 2006:

(a) What was the cost of Ms Bingle’s participation in the trip for:
   (i) airfares;
   (ii) travel advances;
   (iii) accommodation;
   (iv) ground transport;
   (v) entertainment; and
   (vi) incidentals?

(b) What was the cost of consultancy payments for Ms Bingle’s participation and who negotiated these payments?

Fran Bailey—The answer to the honourable member’s question is as follows:

The details of Ms Bingle’s visit to London in March 2006 are commercial in confidence.

Drought
(Question No. 4830)

Mr Tanner asked the Minister for Agriculture, Fisheries and Forestry, in writing, on 30 October 2006:

QUESTIONS IN WRITING
What mutual obligation requirements are attached to the Government’s drought relief and associated assistance to farmers.

Mr McGauran—The answer to the honourable member’s question is as follows:
There are no mutual obligation requirements attached to the Australian Government’s drought relief and associated assistance to farmers.

Special Disability Trust
(Question No. 4831)

Ms Vanvakinou asked the Minister for Families, Community Services and Indigenous Affairs, in writing, on 30 October 2006:

(1) In respect of the Government’s decision to allow parents and immediate family members to place up to $500,000 into a trust for the future care and accommodation of a relative with severe disabilities, without that money affecting social security or Veterans’ Affairs means test and gifting rules, how many primary carers of people with a severe disability (a) have been assessed as eligible to undertake this measure to date and (b) are estimated by his department to be able to afford this trust arrangement, considering that half of all carers belong to the lowest and second lowest income groups in Australia.

(2) Will he provide assurance that the provision referred to in Part (1) will not lead to a situation whereby individuals who have money in a trust receive preferential treatment when applying for Supported Accommodation.

Mr Brough—The answer to the honourable member’s question is as follows:
Anyone can contribute into a Special Disability Trust, however only parents and immediate family members are eligible to receive a means test concession under the gifting rules, if they are of Age Pension age.

Centrelink have advised that for the period 22 September – 20 October 2006, nineteen people with severe disability have been granted beneficiary status, and seven cases where further information has been requested to make a determination against the beneficiary criteria.

It is estimated that around 10,000 parents and immediate family members will receive the means test concession over the next four years.

State and Territory Governments carry the primary responsibility for care and accommodation needs of people with disability.

Security Companies
(Question No. 4839)

Mr Melham asked the Minister for Foreign Affairs, in writing, on 30 October 2006:

(1) Is the Department of Foreign Affairs and Trade aware of any Australian citizens or permanent residents working for private military and/or security companies in (a) Iraq or (b) Afghanistan.

(2) How many Australians are known, or estimated, to be employed in this work in (a) Iraq and (b) Afghanistan.

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

(1) The department is aware of some individuals in Iraq and Afghanistan who have identified themselves as working in a security-related profession.

(2) The Department of Foreign Affairs and Trade does not maintain a list of Australians employed by private military and/or security companies in Iraq or Afghanistan. Of the Australians who have reg-
istered their presence in Iraq or Afghanistan with DFAT through the online consular registrations database, 15 in Iraq and one in Afghanistan listed their profession as being security-related.

**Drought**

(Question No. 4841)

Mr Andren asked the Minister for Agriculture, Fisheries and Forestry, in writing, on 31 October 2006:

(1) Is he aware that many non-farming businesses in rural and regional areas are carrying the debts of their farming customers, who are unable to pay their accounts due to the drought crisis.

(2) Will the Government extend the exceptional circumstances interest rate subsidy to those businesses.

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

(1) Yes.

(2) On 7 November 2006, the Prime Minister, the Hon John Howard MP, announced that the Australian Government will extend Exceptional Circumstances (EC) assistance measures to those small businesses that source a minimum of 70 per cent of their income from farm businesses located in EC declared areas; employ up to 20 full time equivalent staff; and are experiencing a significant financial downturn as a result of the drought. Assistance will include income support, as well as business support in the form of interest rate subsidies.

**Iraq**

(Question No. 4842)

Mr Kelvin Thomson asked the Minister for Foreign Affairs, in writing, on 31 October 2006:

(1) Is he aware of a letter titled “The Iraq deaths study was valid and correct”, which was published in *The Age* on 22 October 2006 and which was written by 27 leading medical researchers in Australia in response to the article titled “Mortality after the 2003 invasion of Iraq: a cross-sectional cluster sample survey”, which appeared in *The Lancet*, October 2006; if so, is the letter correct in its assertion that the *Lancet* study’s methodology is sound and that its conclusions should be taken seriously.

(2) Do the authors of the letter referred to in Part (1) represent Australia’s best understanding of medical research methodology relating to collection of health data.

(3) Is he aware of any reasons to dismiss the findings of the *Lancet* article; if so, (a) what are the reasons and (b) to what extent would any such reasons modify the conclusions of the *Lancet* study.

(4) Are the authors of the letter referred to in Part (1) correct in asserting that the *Lancet* study provides the only up-to-date, independent and comprehensive scientific study of mortality after the invasion and occupation of Iraq.

(5) Is he aware that the methodology used by the *Lancet* study has also been used to estimate mortality in Darfur and the Democratic Republic of Congo; if so, are these estimates accurate; if not; is he aware of academic criticisms of these studies; and if so, will he provide references for the academic criticisms.

(6) Is he aware that he cited mortality estimates based upon the methodology used in *The Lancet*’s study in response to a question without notice on 31 May 2005 (*Hansard*, 31 May 2005, page 4), which related to Darfur; if so, is the mortality estimate that he quoted accurate.

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

(1) to (3) I am aware of the letter. The estimate of Iraqi deaths published in *The Lancet* is not credible.
(4) to (6) There are no authoritative estimates of the total number of civilian casualties in Iraq. Estimates on casualties in Iraq, Darfur and the Democratic Republic of Congo, and the methodology behind them, vary widely.

**Ethanol**  
*(Question No. 4849)*

**Mr Martin Ferguson** asked the Minister for Industry, Tourism and Resources, in writing, on 31 October 2006:

Further to his response to question No. 4709 concerning the Ethanol Production Grants program:

(1) When did Tarac Technologies Pty Ltd apply for a grant, when was it paid and what sum was paid; and

(2) Have any other companies received grants since 30 June 2006; if so, which companies have received grants and what sum was paid to each company.

**Mr Ian Macfarlane**—The answer to the honourable member’s question is as follows:

(1) Tarac Technologies Pty Ltd applied for grants under the Ethanol Production Grant Program in the months of June, July and October 2006. AusIndustry made payments to Tarac Technologies Pty Ltd in the months of July, August and October 2006, the values of which were $24,447, $12,563 and $25,615 respectively.

(2) With respect to the period from 1 July 2006 to 31 October 2006, companies other than Tarac Technologies Pty Ltd that received grants under the Ethanol Production Grant Program were: Manildra Group, CSR Distilleries Operations Pty Ltd, and Rocky Point Sugar Mill and Distillery (Schumer Pty Ltd).

The sum paid to each of the successful applicants was:

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manildra Group</td>
<td>$5,902,094</td>
</tr>
<tr>
<td>CSR Distilleries Operations Pty Ltd</td>
<td>$2,591,433</td>
</tr>
<tr>
<td>Rocky Point Sugar Mill and Distillery (Schumer Pty Ltd)</td>
<td>$76</td>
</tr>
</tbody>
</table>

**Legal Aid**  
*(Question No. 4850)*

**Mr Murphy** asked the Attorney-General, in writing, on 31 October 2006:

Why has the Government allowed its budget for legal aid to decline by 51.5 percent, in 2005–06 dollar terms, since 2003–04.

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

The Australian Government’s budget for legal aid has increased over that period.

The Australian Government makes payments for the provision of legal aid by State and Territory legal aid commissions in matters arising under Commonwealth law. These are made from two separate appropriations, because payments are made directly to legal aid commissions for some jurisdictions—Appropriation Act (No. 1)—and to States and Territories for other jurisdictions—Appropriation Act (No. 2).

Since 2004–05, payments for the provision of legal aid in Commonwealth matters in New South Wales have been made directly to the New South Wales Legal Aid Commission; before that, payments were made to the State of New South Wales. This change in arrangements required a transfer from an appropriation in Appropriation Act (No. 2) to one in Appropriation Act (No. 1). There was no reduction in the total amount appropriated in both Acts: in fact, between 2003–04 and 2005–06, the amount spent under these two appropriations increased by 16.01 per cent.
The Australian Government also provides funds for other forms of legal assistance through:
- payments for the provision of legal aid to Indigenous Australians
- payments to community legal services
- payments to Indigenous family violence prevention legal services, and
- payments under various schemes of financial assistance.

In 2003–04, these payments and the payments for the provision of legal aid in Commonwealth matters referred to above totalled $212.066m; in 2005–06, they totalled $236.082m—an increase of 11.33 per cent.

Airport Security
(Question No. 4866)

Mr Murphy asked the Minister for Transport and Regional Services, in writing, on 2 November 2006:

(1) Can he confirm that, pursuant to standing order 105(b) of the House of Representatives Standing and Sessional Orders of 29 March 2006, I sought the assistance of the Speaker on 9 October 2006 to ascertain the reasons for the delay in the Minister’s answering my questions in writing numbered 3818 and 3821, which address human interference with CCTV cameras at Sydney International Airport, and which first appeared on the House of Representatives Notice Paper of 8 August 2006.

(2) Can he confirm that he received a letter from the Speaker seeking an explanation for the delay in replying to those questions and that he responded to the Speaker’s letter apologising for the delay and advising that the answers to the questions were being prepared.

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

(1) Yes.

(2) Yes.

Climate Change
(Question No. 4867)

Mr Sercombe asked the Minister for Foreign Affairs, in writing, on 2 November 2006:

(1) Does Australia support the proposals from Papua New Guinea, and other developing countries with significant rainforest resources (Coalition of Rainforest Nations), that a mechanism be developed to enable carbon saved through reduced deforestation in developing countries to be traded internationally.

(2) Does Australia support the inclusion of such a mechanism within the Asia-Pacific Partnership on Clean Development and Climate, or as part of future commitments under the Kyoto Protocol, or under the United Nations Framework Convention on Climate Change.

(3) Can he provide information, including (a) title, (b) country, (c) description and (d) amount of funding, on projects being provided under Australia’s overseas aid program that are directed at assisting developing countries in the Asia-Pacific region, particularly Indonesia and Papua New Guinea, to manage their forests on a sustainable basis, including reducing deforestation.

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

(1) Australia is working with other countries, particularly through the UN Framework Climate Change Convention (UNFCCC), to find ways that will be effective in reducing deforestation. Australia strongly supported the proposal from Papua New Guinea and other developing countries that the problem of deforestation be discussed in the UNFCCC, and Australia is participating in UNFCCC discussions on it. It would be premature for Australia to comment on the outcome of this process.
before all options have been considered. Australia remains committed to the success of the
UNFCCC process, and will co-host with New Zealand the second UNFCCC workshop on reducing
emissions from deforestation in developing countries in the first half of 2007. We have also com-
mitted to provide approximately $270,000 to support the participation of developing countries in
this work.

(2) The objectives of the Asia Pacific Partnership on Clean Development and Climate agreed to in
Sydney in January 2006 remain unchanged. Papua New Guinea is not a member of AP6 and defor-
estation does not sit under any of the Partnership Task Forces.
Consistent with our efforts to have the importance of reducing greenhouse gas emissions from all
sectors, including agriculture, forestry and other land-uses, recognised under the UNFCCC, Austra-
ia strongly supports further consideration of this issue within this forum.

(3) (a) Title: Advisory Support Facility-Advisory Support to the PNG Forest Authority
(b) Country: Papua New Guinea (PNG)
(c) Description: Australia provides funding for four specialist advisers in the PNG Forest Author-
ity (PNGFA). The areas targeted are corporate governance, financial management, human re-
sources, and information and communication systems.
The advisers seek to improve corporate governance and financial accountability by transfer-
ing skills to key staff in the PNGFA. They provide advice, support, training and mentoring to
strengthen management systems in the four target areas, strengthen the capabilities of staff to
manage those systems, improve corporate planning processes and improve access to relevant,
timely and accurate information. The advisers provide support to the Board and its sub-
committees by strengthening their capabilities in their respective roles. Further support has
been curtailed in recent years due to concerns about poor governance and the absence of a
strong Government of PNG political commitment to reform in the sector.
(d) Amount of funding: $2.876 million (April 2003-June 2006); projected $1.166 million (July
2006-March 2008)

(3) (b) Country: Indonesia
(c) Description: Australia is not currently providing support under the aid program to the forestry
sector in Indonesia.

(3) (a) Title: Solomon Islands Forestry Management Project
(b) Country: Solomon Islands
(c) Description: Australia is currently supporting a four-year forestry project (due to be finalised
in October 2008) supporting the Solomon Islands Government’s reform agenda in the forestry
sector. The project focuses on developing policies to improve the Ministry’s operation and in-
dustry practices and support community reforestation.
The Community Forestry component of the project aims to enhance rural livelihoods and in-
come generating opportunities based on better management of forest resources. Its main focus
has been on working with over 6,000 families to plant high value (predominantly teak) trees
and support sustainable forestry practices. This aspect is underpinned by a comprehensive
awareness raising campaign, which focuses on increasing community awareness of new mar-
ket opportunities and improving the sustainability of logging practices.
(d) Amount of funding: $7.5 million