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SITTING DAYS—2008

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FORTY-SECOND PARLIAMENT
FIRST SESSION—THIRD PERIOD

Governor-General
Her Excellency Ms Quentin Bryce, Companion of the Order of Australia

House of Representatives Officeholders

Speaker—Mr Harry Alfred Jenkins MP
Deputy Speaker—Ms Anna Elizabeth Burke MP
Second Deputy Speaker—Hon. Bruce Craig Scott MP

Members of the Speaker’s Panel—Hon. Dick Godfrey Harry Adams MP, Hon. Kevin James Andrews MP, Hon. Archibald Ronald Bevis MP, Ms Sharon Leah Bird MP, Mr Steven Georganas MP, Hon. Judith Eleanor Moylan MP, Ms Janelle Anne Saffin MP, Mr Albert John Schultz MP, Mr Patrick Damien Secker MP, Mr Peter Sid Sidebottom MP, Hon. Peter Neil Slipper MP, Mr Kelvin John Thomson MP, Hon. Danna Sue Vale MP and Dr Malcolm James Washer MP

Leader of the House—Hon. Anthony Norman Albanese MP
Deputy Leader of the House—Hon. Stephen Francis Smith MP
Manager of Opposition Business—Hon. Joseph Benedict Hockey MP
Deputy Manager of Opposition Business—Mr Luke Hartsuyker MP

Party Leaders and Whips

Australian Labor Party
Leader—Hon. Kevin Michael Rudd MP
Deputy Leader—Hon. Julia Eileen Gillard MP
Chief Government Whip—Hon. Leo Roger Spurway Price MP
Government Whips—Ms Jill Griffiths Hall MP and Mr Christopher Patrick Hayes MP

Liberal Party of Australia
Leader—Hon. Malcolm Bligh Turnbull MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Opposition Whip—Hon. Alex Somlyay MP
Opposition Whip—Mr Michael Andrew Johnson MP
Deputy Opposition Whip—Ms Nola Bethwyn Marino MP

The Nationals
Leader—Hon. Warren Errol Truss MP
Chief Whip—Mrs Kay Elizabeth Hull MP
Whip—Mr Paul Christopher Neville MP

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

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**PARTY ABBREVIATIONS**

ALP—Australian Labor Party; LP—Liberal Party of Australia; Nats—The Nationals; Ind—Independent

### Heads of Parliamentary Departments

- Clerk of the Senate—H Evans
- Clerk of the House of Representatives—IC Harris AO
- Secretary, Department of Parliamentary Services—A Thompson
RUDD MINISTRY

Prime Minister
Deputy Prime Minister, Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion
Treasurer
Minister for Immigration and Citizenship and Leader of the Government in the Senate
Special Minister of State, Cabinet Secretary and Vice President of the Executive Council
Minister for Finance and Deregulation
Minister for Trade
Minister for Foreign Affairs
Minister for Defence
Minister for Health and Ageing
Minister for Families, Housing, Community Services and Indigenous Affairs
Minister for Infrastructure, Transport, Regional Development and Local Government and Leader of the House
Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate
Minister for Innovation, Industry, Science and Research
Minister for Climate Change and Water
Minister for the Environment, Heritage and the Arts
Attorney-General
Minister for Human Services and Manager of Government Business in the Senate
Minister for Agriculture, Fisheries and Forestry
Minister for Resources and Energy and Minister for Tourism

Hon. Kevin Rudd, MP
Hon. Julia Gillard, MP
Hon. Wayne Swan MP
Senator Hon. Chris Evans
Senator Hon. John Faulkner
Hon. Lindsay Tanner MP
Hon. Simon Crean MP
Hon. Stephen Smith MP
Hon. Joel Fitzgibbon MP
Hon. Nicola Roxon MP
Hon. Jenny Macklin MP
Hon. Anthony Albanese MP
Senator Hon. Stephen Conroy
Senator Hon. Kim Carr
Senator Hon. Penny Wong
Hon. Peter Garrett AM, MP
Hon. Robert McClelland MP
Senator Hon. Joe Ludwig
Hon. Tony Burke MP
Hon. Martin Ferguson AM, MP

[The above ministers constitute the cabinet]
Minister for Home Affairs Hon. Bob Debus MP
Assistant Treasurer and Minister for Competition Policy and Consumer Affairs Hon. Chris Bowen MP
Minister for Veterans’ Affairs Hon. Alan Griffin MP
Minister for Housing and Minister for the Status of Women Hon. Tanya Plibersek MP
Minister for Employment Participation Hon. Brendan O’Connor MP
Minister for Defence Science and Personnel Hon. Warren Snowdon MP
Minister for Small Business, Independent Contractors and the Service Economy and Minister Assisting the Finance Minister on Deregulation Hon. Dr Craig Emerson MP
Minister for Superannuation and Corporate Law Senator Hon. Nick Sherry
Minister for Ageing Hon. Justine Elliot MP
Minister for Youth and Minister for Sport Hon. Kate Ellis MP
Parliamentary Secretary for Early Childhood Education and Childcare Hon. Maxine McKew MP
Parliamentary Secretary for Defence Procurement Hon. Greg Combet AM, MP
Parliamentary Secretary for Defence Support Hon. Dr Mike Kelly AM, MP
Parliamentary Secretary for Regional Development and Northern Australia Hon. Gary Gray AO, MP
Parliamentary Secretary for Disabilities and Children’s Services Hon. Bill Shorten MP
Parliamentary Secretary for International Development Assistance Hon. Bob McMullan MP
Parliamentary Secretary for Pacific Island Affairs Hon. Duncan Kerr MP
Parliamentary Secretary to the Prime Minister Hon. Anthony Byrne MP
Parliamentary Secretary for Social Inclusion and the Voluntary Sector and Parliamentary Secretary Assisting the Prime Minister for Social Inclusion Senator Hon. Ursula Stephens
Parliamentary Secretary to the Minister for Trade Hon. John Murphy MP
Parliamentary Secretary to the Minister for Health and Ageing Senator Hon. Jan McLucas
Parliamentary Secretary for Multicultural Affairs and Settlement Services Hon. Laurie Ferguson MP
SHADOW MINISTRY

Leader of the Opposition
Deputy Leader of the Opposition and Shadow Treasurer
Leader of the Nationals and Shadow Minister for Trade,
Transport, Regional Development and Local Government
Shadow Minister for Broadband, Communications and the Digital Economy and Leader of the Opposition in the Senate
Shadow Minister for Innovation, Industry, Science and Research and Deputy Leader of the Opposition in the Senate
Shadow Minister for Infrastructure and COAG and Shadow Minister Assisting the Leader on Emissions Trading Design
Shadow Minister for Foreign Affairs and Manager of Opposition Business in the Senate
Shadow Minister for Finance, Competition Policy and De-regulation and Manager of Opposition Business in the House
Shadow Minister for Energy and Resources
Shadow Minister for Families, Housing, Community Services and Indigenous Affairs
Shadow Special Minister of State and Shadow Cabinet Secretary
Shadow Minister for Human Services and Deputy Leader of the Nationals
Shadow Minister for Climate Change, Environment and Water
Shadow Minister for Health and Ageing
Shadow Minister for Defence
Shadow Minister for Education, Apprenticeships and Training
Shadow Attorney-General
Shadow Minister for Agriculture, Fisheries and Forestry
Shadow Minister for Employment and Workplace Relations
Shadow Minister for Immigration and Citizenship
Shadow Minister for Small Business, Independent Contractors, Tourism and the Arts

Hon. Malcolm Turnbull MP
Hon. Julie Bishop MP
Hon. Warren Truss MP
Senator Hon. Nick Minchin
Senator Hon. Eric Abetz
Hon. Andrew Robb MP
Senator Hon. Helen Coonan
Hon. Joe Hockey MP
Hon. Ian Macfarlane MP
Hon. Tony Abbott MP
Senator Hon. Michael Ronaldson
Senator Hon. Nigel Scullion
Hon. Greg Hunt MP
Hon. Peter Dutton MP
Senator Hon. David Johnston
Hon. Christopher Pyne MP
Senator Hon. George Brandis SC
Hon. John Cobb MP
Mr Michael Keenan MP
Hon. Dr Sharman Stone MP
Mr Steven Ciobo MP

[The above constitute the shadow cabinet]
Shadow Minister for Financial Services, Superannuation and Corporate Law
Hon. Chris Pearce MP

Shadow Assistant Treasurer
Hon. Tony Smith MP

Shadow Minister for Sustainable Development and Cities
Hon. Bruce Billson MP

Shadow Minister for Competition Policy and Consumer Affairs and Deputy Manager of Opposition Business in the House
Mr Luke Hartsuyker MP

Shadow Minister for Housing and Local Government
Mr Scott Morrison MP

Shadow Minister for Ageing
Mrs Margaret May MP

Shadow Minister for Defence Science and Personnel
Hon. Bob Baldwin MP

Shadow Minister for Veterans’ Affairs
Mrs Louise Markus MP

Shadow Minister for Early Childhood Education, Childcare, Women and Youth
Mrs Sophie Mirabella MP

Shadow Minister for Justice and Customs
Hon. Sussan Ley MP

Shadow Minister for Employment Participation, Training and Sport
Dr Andrew Southcott MP

Shadow Parliamentary Secretary for Northern Australia
Senator Hon. Ian Macdonald

Shadow Parliamentary Secretary for Roads and Transport
Mr Barry Haase MP

Shadow Parliamentary Secretary for Regional Development
Mr John Forrest MP

Shadow Parliamentary Secretary for International Development Assistance
Senator Marise Payne

Shadow Parliamentary Secretary for Energy and Resources
Mr Don Randall MP

Shadow Parliamentary Secretary for Indigenous Affairs
Senator Marise Payne

Shadow Parliamentary Secretary for Disabilities, Carers and the Voluntary Sector
Senator Cory Bernardi

Shadow Parliamentary Secretary for Water Resources and Conservation
Senator Fiona Nash

Shadow Parliamentary Secretary for Health Administration
Senator Mathias Cormann

Shadow Parliamentary Secretary for Defence
Hon. Peter Lindsay MP

Shadow Parliamentary Secretary for Education
Senator Hon. Brett Mason

Shadow Parliamentary Secretary for Justice and Public Security
Mr Jason Wood MP

Shadow Parliamentary Secretary for Agriculture, Fisheries and Forestry
Senator Hon. Richard Colbeck

Shadow Parliamentary Secretary for Immigration and Shadow Parliamentary Secretary Assisting the Leader in the Senate
Senator Concetta Fierravanti-Wells
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Monday, 22 September 2008

The SPEAKER (Mr Harry Jenkins) took the chair at 12 pm and read prayers.

MIGRATION LEGISLATION AMENDMENT BILL (No. 1) 2008

Assent

Message from the Governor-General reported informing the House of assent to the bill.

INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL (No. 1) 2008

Returned from the Senate

Message received from the Senate returning the bill without amendment or request.

MAIN COMMITTEE

Private Members’ Motions

The SPEAKER—In accordance with standing order 41(h), and the recommendations of the whips adopted by the House on 17 September 2008, I present copies of the terms of motions for which notice has been given by the members for Tangney, Bonner and Maranoa. These matters will be considered in the Main Committee later today.

SAFE WORK AUSTRALIA BILL 2008

Cognate bill:

SAFE WORK AUSTRALIA (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2008

Second Reading

Debate resumed from 18 September, on motion by Ms Gillard:

That this bill be now read a second time.

Mr HAYES (Werriwa) (12.02 pm)—I rise to speak in continuation on the Safe Work Australia Bill 2008 and a related bill. As I was saying before the debate was adjourned last week, this is a critical first step in the direction of improving safety outcomes for workers and workers compensation arrangements across Australia. I have recently had the opportunity to talk to Geoff Fary from the Australian Council of Trade Unions, Tony Sheldon from the Transport Workers Union of Australia and Phil Hazelton from the Australian Miscellaneous Workers Union about their position on the Safe Work Australia Bill 2008. I have spoken to others but the people I have just mentioned came to talk to me about it. In speaking to them at length about this bill and about, more importantly, the statistics that underlie the concerns over safety in our workplaces, I noted they all raised significant concerns. They all support the notion of this bill as a step in the right direction. However, I should make it clear that what they said was not without some reservations. They did have some residual concerns about the bill’s administrative make-up, in particular the number of employee representatives to be on the board of the new Safe Work Australia.

The establishment of Safe Work Australia is only one part of the government’s strategy. We have taken this issue seriously and we have acted by moving quickly on it. Since coming to office in November, this government has undertaken a review of the Comcare scheme and has set up an independent panel of experts to conduct a national occupational health and safety review, which is currently well underway, to examine public submissions on the optimal structure and content of an OH&S model. Notably, the first report of that group will be presented to the Workplace Relations Ministers Council on 31 October this year. A second report is due at the end of January next year. The group has developed a landmark intergovernmental agreement with our state and territory colleagues to harmonise occupational health and safety legislation across the nation. Together with the intergovernmental agreement for regulatory and operational
reform of occupational health and safety, agreed by the Council of Australian Governments on 3 July this year, this ushers in a new partnership that I believe will advance the health and safety of workers across the nation and reduce the complexity of regulation for the many businesses affected.

Safe Work Australia will be an independent reform-focused national body with an inclusive tripartite membership that will operate under the Commonwealth government’s accountability and governance framework. It will consist of 15 members—nine members from government, an independent chair, two members representing employees, two members representing employers and a CEO. Safe Work Australia will replace the Australian Safety and Compensation Council, which was set up under the former Howard government as an advisory council with limited powers and limited functions and was effectively contained to coordinating, monitoring and promoting national efforts in respect of occupational health and safety issues.

In contrast, Safe Work Australia will develop national policy relating to OH&S and workers compensation; prepare, monitor and advise as to model OH&S legislation and model codes of conduct to apply throughout the nation; develop a compliance and enforcement policy to ensure that a nationally consistent regulatory approach across all jurisdictions is maintained; develop proposals relating to the harmonisation of workers compensation arrangements; collect, analyse and publish OH&S and workers compensation data; and collect and publish statistics. It will drive a national communications strategy to raise awareness of OH&S in the workplace. It will further develop the National Occupational Health and Safety Strategy 2002-2012 and advise the Workplace Relations Ministers Council on OH&S and workers compensation matters. These are very much the key functions of this new body which has now been established. They reaffirm the Rudd Labor government’s strong commitment to safe workplaces and the protection of workers.

The introduction of Safe Work Australia will play a pivotal role in realising the shared commitment of the Commonwealth and all states and territory governments to work together in advancing OH&S outcomes and achieving harmonisation of OH&S laws. It should not pass without noting that this is the first time in the history of the Federation that we have formally committed to OH&S taking on an intergovernmental agreement with a view to harmonising arrangements throughout the Commonwealth, states and territories. This is something very good for working Australians. It is something very good for the businesses of working Australians—businesses that need to have some regulatory relief. The complex regulations that currently exist and apply in individual states and territories can, as a result of this legislation, be brought under a harmonised model where there will be consistent arrangements which will apply across all workplaces in the country. (Time expired)

Dr SOUTHCOtt (Boothby) (12.08 pm)—The Safe Work Australia Bill 2008 is to set up a new statutory authority with the aim of improving occupational health and safety outcomes and workers compensation arrangements in Australia. The area of occupational health and safety is not the subject of partisan debate. I believe all members of this House—all sides of politics—have a commitment to improving occupational health and safety. Having said that, there are three problems with this legislation, and the opposition urges the government to address these. These are not areas that should be difficult to fix. The first problem is that establishing a ‘tripartite’ body to look at the area of occupational health and safety really im-
plies that you have three equal parties who all have a stake in and a commitment to improving occupational health and safety. They are government, employers and the unions. One of the problems with Safe Work Australia as it is conceived is that nine of the 15 members on the board will be representing government, two will be representing the unions and two will be representing employers. We say that it is an imbalance to have such heavy representation from government when it is actually the employers and the unions who will effect improvements in occupational health and safety.

The second problem with this legislation is that Safe Work Australia will report back to this House only every six years. The Olympics will come round more often than the report from Safe Work Australia will be seen in this House. We will go through two electoral cycles between reports. It defies belief why you would set up a governance arrangement like this. Why not have an annual report, as most statutory bodies do? The third problem with this is that the work of Safe Work Australia relies on reports to the Workplace Relations Ministers Council. What we have seen in the past is that, if there is not the will at the ministerial council to make this work, in effect Safe Work Australia will be sending their good work to a post-box. We have seen that the ministerial council in this area has been dysfunctional; it has sometimes failed to meet, and members of the ministerial council have failed to attend or to cooperate with the Commonwealth. If the ministerial council does not work, Safe Work Australia will not either. Those are the three problems with Safe Work Australia as it is conceived in this legislation. We urge the government to take up these suggestions in the spirit of constructive criticism in which they are raised.

The new body, which is one of many new bodies which have been created under Labor, will replace the Australian Safety and Compensation Council, which was established by the coalition when in government as an advisory body to occupational health and safety policies. Unlike the Australian Safety and Compensation Council, which was set up administratively under the framework of the Australian Workplace Safety Standards Act 2005, Safe Work Australia will be set up as a statutory authority with the power to make decisions in relation to national standards and codes of practice. This body will also have the power to develop national policy relating to OH&S and workers compensation. We are also told it will prepare and monitor implementation of OH&S legislation and advise the ministerial council on matters relating to OH&S and workers compensation.

While on the face of it all of those seem good—improving occupational health and safety regulations benefits everyone from workers and their families to business—there are these problems, as I have said, with the governance arrangements for this body in the legislation. The body will be dominated by state and territory representatives, the same people who have already failed in many cases to develop workable occupational health and safety systems in their own states. Many of them have major problems with their own workers compensation schemes. Out of the 15 nominated representatives who will form this body, there will be eight state and territory representatives, one representing the Commonwealth, two from industry, two from the unions and there will be a chair and a CEO to make up the 15. So there will be only two members on this body who will specifically represent the interests of workers and there will be only two members who will represent the interests of employers. That is already a reduction from three from both sectors, as was the case under the Australian Safety and Compensation Council.
Both union and industry representatives are rightly concerned about the reduction of social partner representatives from three to two. It will create a situation where government representatives will be able to override concerns raised by employers and unions, including concerns related to increased costs or impractical safety proposals. This is an example of reducing industry and union representatives in favour of a ‘government knows best’ view. It is an unjustifiable balance. As I said, with a tripartite body there is an assumption and an implication that there are three equal partners and that it is not dominated by the government—the partner most removed from the workplace, where the practical improvements in occupational health and safety will occur. A process that does not seek to engage employers and employees in any meaningful way will struggle to improve safety standards; in fact, it may undermine them. With this limited capacity for employer and employee representatives to raise concerns, Safe Work Australia could also be used by the government to develop other codes and policies under the guise of safety.

There is a fundamental flaw in the foundations upon which this body has been established. The success of Safe Work Australia is contingent upon cooperation and participation of the ministerial council. If the ministerial council does not work, Safe Work Australia will not work either. Safe Work Australia is required to report directly to the ministerial council. Unfortunately, members of the ministerial council have notoriously failed to attend and/or cooperate with the Commonwealth on these issues. If the ministerial council fails to meet or refuses to cooperate and consider Safe Work Australia issues, the work of the body will come to a halt. There is inadequate employer and employee input; any work done by Safe Work Australia is contingent on cooperation from the ministerial council.

But there is a third problem—the failure to report back to parliament on the progress of Safe Work Australia. Under the current proposal, Safe Work Australia will only report back to parliament every six years. Last year there was a lot of talk about more open government. It has not been explained how reporting back every six years fits in with this framework. To introduce a state dominated independent statutory authority that only needs to report back to parliament every six years is incomprehensible and grossly inadequate. What is the problem with requiring this body to report to parliament annually? This new body is shaping up as just another botched policy from the government, like Fuelwatch and GroceryWatch. While Australians are fed up with these botched policies, we see jobs disappearing. Over the nine months until June next year, employment growth is expected to be one-third of what it was last year. The budget’s own predictions state that there will be 134,000 fewer jobs by June next year. Since this government came to office, over 15½ thousand workers have been made redundant. The new government is proposing to spend less on employment services and less on helping people back into work. They have wound back mutual obligation and Work for the Dole.

Despite this, we do not hear any talk of jobs from the government when, following on from the strongest labour market in a generation, we now have massive job insecurity. We never hear any member of the government talk about jobs. They will not mention jobs. Jobs are the great unmentionable in the corner. Instead, they are focused on watching fuel prices and grocery prices, to the benefit of no-one, and now we are considering a state dominated body to improve occupational health and safety regulations.
with less employer and employee involvement. It will not have to report back to parliament until 2014 and then it will report again in 2020. Good occupational health and safety standards require a safe working environment and they improve worker morale and productivity. It is important that we all work together to reduce workplace injuries, but I fear that this is just another Labor body that will do nothing of the sort.

Mr GRAY (Brand—Parliamentary Secretary for Regional Development and Northern Australia) (12.20 pm)—I rise today to support the Safe Work Australia Bill 2008. It is a bill to create an independent national body that will improve occupational health and safety outcomes for Australian workers. This bill reiterates the Rudd government’s commitment to implementing safe work practices across Australia.

Statistics from the Australian Safety and Compensation Council show that, over the nine years from 1997-98 to 2005-06, around 147,800 compensation claims were accepted. These claims were from workers who were temporarily incapacitated for one working week or more, or permanently incapacitated, and the figure also includes compensation claims that result from fatalities. Nationally, over those same nine years, approximately 300 deaths occurred each year—that is, 2,700 people died from a workplace related accident in those nine years. That in itself is a difficult statistic to stomach, but what does it mean? It means sadness for families, it means poverty and anger for families, it means families are broken, it means kids do not have mums or dads, it means husbands do not have wives, it means wives lose their husbands. The story of workplace injury and workplace deaths gets played out somewhere in this country just about every day, and it is a story that we as a parliament need to be doing more about.

According to the peak workers body in my home state of Western Australia, UnionsWA, 460 people died in the workplace between 1988-89 and 2008-09. Statistics cannot convey the tragedy that has befallen 460 families in Western Australia. According to UnionsWA, there has been a gradual decrease in fatalities—from a high point of 36 in 1988-89 to a low point of 12 in 2005-06. Unfortunately, the figure increased to 25 in 2006-07 and 27 in 2007-08. That largely tracks the massive construction that is currently underway in both the resources sector and the CBD of Perth. But 460 fatalities in Western Australia over this period is clearly unacceptable. There were 136 fatalities in the mining industry, 104 in the agriculture, forestry and fisheries industries, 70 in the construction industry and 31 in the manufacturing industry—and 104 of them were young Western Australian men and women aged between 25 and 34. That is almost one-third of the total fatalities.

For families who lose a loved one to a workplace injury there is a terrible emotional and mental cost that cannot be measured. For the nation it also has an economic cost. It is estimated that workplace accidents cost the economy $34 billion a year. It is not as though good employers and managers—and most of them are good—do not see safety as a matter of priority. But it is a fact that accidents take place. They take place for a multitude of reasons, not least of which is that people take safety for granted.

One of the more significant industrial accidents to take place in Australia over the last decade took place almost exactly 10 years ago this week—the story of the Esso plant at Longford. In Australia and around the world there are constant and tragic reminders of the human costs associated with workplace accidents. At Longford, in Victoria’s Gippsland Region, Esso Australia Resources operates three gas plants to process gas flowing from
wells in the Bass Strait. It also operates a crude oil stabilisation plant to process oil flowing from other wells in the Bass Strait. On Friday, 25 September 1998, at around half past 12 in the afternoon, a vessel in Esso’s gas plant No. 1 fractured, releasing hydrocarbon vapours and liquid. Explosions and fire followed. Two Esso employees were killed and eight others were injured. Gas supplies to the state of Victoria were severely affected for two weeks. On 12 October 1998, the Victorian government announced a royal commission in order to determine the cause of the explosion and the subsequent loss of gas supply.

It is worth remembering that there was a federal election at the time of the accident. That election was closely fought and it concluded in the days immediately following the explosion at Longford. It is also worth putting on the record that at no time did the then government, or the opposition, seek to obtain political advantage from the tragedy at Longford. Everyone stood side by side to understand exactly what had happened, to support the process of the royal commission and to ask why it could be that in a modern, wealthy economy such an explosion could have taken place and deaths could have resulted.

The royal commissioner carried out his work over a period of several years. The plant was rebuilt at a cost of $500 million and it incorporated new safety measures and staffing increases. Esso also announced that it would invest $100 million in the development and expansion of the Longford plant over the following two years. Whilst it is commendable that Esso has looked to improve its safety standards, it is disappointing that it took two fatalities to make it happen. Sir Daryl Dawson, a former justice of the High Court and royal commissioner of the Longford royal commission into the Esso gas plant explosion, commented on the realities of workplace safety. He stated:

The elimination of risk comes at a cost and it is apparent that those responsible are not always prepared to bear the cost and so you have, either implicitly or explicitly, a cost benefit analysis in which the risk of death or injury is measured in money terms against the cost of elimination of the risk.

That is an exercise which seems insensitive to say the least, and yet it is an exercise that must be carried out, consciously or unconsciously, all the time.

That is why employers are encouraged to make their workplaces safer, not safe. That is an insightful comment that points to the disappointing reality of operating in a market based economy. It also points out that there are risks and they need to be appropriately mitigated but that risks will never go away. That is why a safety culture and enforcing safe behaviours is extremely important in a workplace context.

An overseas accident that had tragic ramifications occurred in 2005 in Texas City in the United States. The Texas City refinery is BP’s largest refinery worldwide and the third-largest refinery in the United States, with a crude capacity of about 460,000 barrels of petroleum per day. The facility is capable of producing about 10 million gallons per day of premium and unleaded regular fuel. Located just south of Houston, the plant includes 29 oil-refining units and four chemical units, spread over a 1,200-acre site.

The Texas City refinery produces about 2½ per cent of all fuel sold in the United States—enough to fill the tank of every car every seven seconds. Fifteen workers died and more than 500 were injured in the explosion which occurred at Texas City in 2005, just three years ago. It was one of the most serious industrial incidents of the past two decades. BP’s investigation report, entitled
The cause of the explosion, has been discussed in detail. It stated:

Actions taken or not taken led to overfilling the raffinate splitter with liquid, overheating of the liquid and the subsequent overpressurisation and pressure relief. Hydrocarbon flow to the blowdown drum and stack overwhelmed it, resulting in liquids carrying over out of the top of the stack, flowing down the stack, accumulating on the ground, causing a vapor cloud, which was ignited by an abandoned white pickup truck with the ignition on.

No-one could have begun to understand the implications of an abandoned car with merely the ignition left on, but the consequence of a massive cloud of hydrocarbons drifting across that dumped vehicle was an explosion that killed 15 people and injured 500. The hydrocarbons industry is advanced and scientific and it understands the value of life and the value of profits. The work done by BP to understand the explosion has been transparent and has been transmitted around the world. In the company for which I worked previously, Woodside Energy, there was completely transparent access to the investigation and its conclusions. Furthermore, BP sent teams around the world to explain to other hydrocarbons companies how such a horrific explosion could have taken place and the measures that were being taken to ensure that it could not happen again.

Good governance requires that a whole range of metrics be measured, considered and placed on the table at board meetings. It is the case that good companies make safety a priority matter for boards to consider. It is not uncommon for board meetings to start with a safety report. It is not uncommon that analysts’ judgements about companies are based on their capacity to do a good job in looking after their workers. In industries that have danger and risk, it is known and understood that if you are going to attract the best workers then you must create the best safety environment. Although there are people killed every month in Australia’s resource sector, there is no doubt that our outstanding resource companies work very hard on their safety protocols and on ensuring that the triple bottom line—not only profitability and doing good business but also looking after the workers—is met in all contexts.

Even in the best-managed companies, accidents happen. In March this year a crane owned by New York Crane and Equipment collapsed at 303 East 51st Street in Manhattan. Seven people were killed and 24 others were injured. It was a tower crane, manufactured by the Australian company Favco, and it was 200 feet tall at the time of the collapse. I take an interest in this collapse not because an Australian company manufactured the crane but because the one thing that is apparent to supporters of the resource and construction industries is the need for safety. I have spent a lot of time in Western Australia looking at safety training at the CFMEU’s site, which carries out one of the most significant training operations in Western Australia. Their training operation was supported by the previous government, and one can see no good reason why the outstanding training done by the centre should not continue.

One of the areas that the construction industry pays particular attention to is the erection of cranes and crane safety. I visited that CFMEU training centre in Western Australia earlier this year, within days of the collapse of that crane in New York. The workers there were already being trained in understanding what had happened to that crane—how it had pulled away from the wall to which it was supposed to have been attached, how it folded back in on itself and how, when it fell, seven people, including several inside it and several working around it, were killed and 24 others were injured.
A construction worker on the 15th floor said he saw something fall and strike one or more of the girder ties, weakening or breaking the connections. "Out of the corner of my eye," he said, "I saw a piece falling, and then the crane pulled away." The collapse occurred as workers attempted to jack up the crane, raising its height to enable work to continue above on the 19th floor of a planned 43-storey building. The builders had city permission to raise the crane. The crane had been inspected a few days earlier, with no violations found. Accidents occur even though inspections happen. Accidents are prevented by a safety culture.

In Western Australia, UnionsWA keeps a record of the personal stories of people who have been affected by workplace injuries. Just down the street from where I live, no more than a kilometre away, construction commenced in 2002 on an office and warehouse facility which was of a tilt-up design. Tilt-up design involves large prefabricated concrete slabs being tilted into position to form the walls of a structure. It is a low-cost construction methodology, ideally suited to Western Australia, in which safety is paramount. The story I relate here is of a wall many metres tall, many metres long and weighing tens of tonnes, which collapsed because it was inappropriately suspended. A worker, Des Kelsh, was crushed beneath the falling wall. He is survived by his wife, Trish, and their children, Lucy-Ann and Cormac. He was working on a tilt-up wall that came down. When it came down he bled to death before anyone could even lift the wall to get in to help him. His wife says:

Every day I think about him. Every day I miss him.

Des Kelsh’s death caused a significant re-consideration of how tilt-up construction occurs in Western Australia and has had the positive effect of making a change in construction methodology. His death also reinforced what had been said previously by the CFMEU about the safety of such construction methodologies.

In 2007, Luke Murrie died on a construction site in the northern Perth suburb of Malaga. The CFMEU said:

Luke was a warm, happy young man whose boundless energy was infectious. He will be sadly missed but never forgotten by all those who were fortunate enough to journey with him along life’s path. The loss of a tremendous person like Luke at such a young age is made even more tragic because of the loss of opportunity. The opportunity to be a father. The opportunity to grow old. The opportunity to be a workmate to many more people. The opportunity to be a great construction worker and rigger and to be a positive influence within an industry which sorely needs that type of influence.

We all know of the accident at the Cloudbreak mine of Fortescue Metals Group Ltd earlier in 2008, where Nigel Taylor, 26, died. He had been married for just two months to his wife, Lisa. She said:

Nigel was an amazing man, we were married for only two months but the love that we had for each other will last an eternity. Nigel never got to experience many things in his life, moving into our family home or becoming a father. But one thing I am thankful of is that he died as my husband, that we had a chance to say our vows and express our love for each other.

In July of 2007, a 43-year-old delivery driver died when the Dingo minidigger he was using to move a shed on a construction site toppled and the raised arms of the minidigger landed on his neck. On 30 August 2007, a 21-year-old loader operator died when the bogger that he was using to backfill a stope rolled over, crushing him. On 10 September 2007, a 68-year-old farmer was killed when he was struck by the limb of a tree that he was felling on his farm.

We should remember that one of the most significant categories of workplace injury and death is the agricultural sector on farms.
They are often workers who are working alone with equipment on unstable ground and often working to a deadline—perhaps in the daytime with the light disappearing, perhaps because the seeding has to be done or perhaps just because they have had enough of the job and they want to get it done. Accidents happen and people get killed. On farms, of course, sometimes it can take days, or even weeks, before a death is discovered.

This bill does many things about process and design but, most importantly, it brings to the attention of our parliament and brings into focus for industry the importance that we, as a parliament, place on workplace safety and the right of every worker to turn up to work, carry out their work and go home healthy, fit and in the same condition as when they arrived. I commend the bill to the House.

Mr KEENAN (Stirling) (12.40 pm)—I rise to discuss the Safe Work Australia Bill 2008. Before going into the substance of the bill, I would like to make some general remarks about workplace relations and employment. We all, rightly, bring our own perspectives and our own experiences to the issues we face in this parliament. They form part of the equation when we form our views about issues. It is perfectly reasonable, when we as parliamentarians are faced with a large number of decisions, that we do rely on our experiences to guide us in forming judgements. In my own case, I am guided in my views on workplace relations by my own experiences, and in this field they have been many. I have been an employee, I have been an employer, I have worked casually, I have worked full time and I have worked part time. I have worked in different parts of Australia and I have also worked overseas. I have done many and varied jobs since I commenced my working life. I delivered milk when I was 14, I have flipped hamburgers, I have poured beers, I have waited tables, I have been an usher at the cinema, I have been a data entry clerk and I have done all types of administration. I have had many more occupations than I would care to list. Most of these jobs have been great but, occasionally, I have come across employers who have not lived up to their obligations. I must say that these times have been relatively few and far between in what has been a long and varied career.

The times that I actually remember with most trepidation are the times when I have been unable to find work. Members of the House will probably be familiar with that intense and unwavering feeling of insecurity that can pervade all aspects of your life. A loss of confidence can accompany this. The failure to be able to find work, in my view, is one of the worst fates that can befall any individual Australian. This parliament must always bear that in mind when considering the appropriate structure for our workplace relations system, including in this case occupational health and safety laws. The more complex and complicated we make that system, the more people will be subjected to the insecurity of being unable to find work.

I have heard suggestions in this debate, and at other times, that members of the coalition are not concerned about safety in Australian workplaces. I consider this suggestion offensive and silly. To seriously suggest that any member of this House would condone an unsafe workplace is ludicrous. It is just as ludicrous as the suggestion that any member of this House would somehow welcome deterioration in the working conditions of any Australian worker. Debates in this area are about finding balance in our workplace relations system and are a vitally important business for this parliament. But let us conduct them in an atmosphere where members are not subjected to nonsensical allegations that have no basis in reality. The debates in this portfolio are vitally important to the wellbe-
ing of my constituents in Stirling and to the constituents of every single member of this House. If we get the system wrong, we bring the progress Australia has made over the last several decades to a complete halt. I think that all members of this House should treat these debates with the seriousness they deserve, and I would invite all members to do so when we are debating this bill.

The bill’s purpose is to establish Safe Work Australia. The coalition does not oppose this bill or the consequential provisions, although we do have some concerns about significant flaws within the bill. Safety in the workplace should be a core priority for both employers and employees. Every employee should be able to undertake their tasks in a safe environment. The coalition broadly supports the idea of a national occupational health and safety system and is committed to ensuring that every Australian workplace is a safe one. There are significant benefits to be gained from a national system, both for employees and employers. However, we are concerned that this bill will not achieve this.

There are significant costs for employers in managing seven different sets of occupational health and safety laws and workers compensation requirements. These are wasted funds that could be better spent. These funds could be used to provide skills training for employees, education in occupational health and safety policies and employee development. Instead these funds are spent on complying with the seven different occupational health and safety regimes and workers compensation systems.

Yet this bill, strangely, reduces the level of influence that employees and employers currently have in developing occupational health and safety policy. It does so by reducing the number of union and industry representatives and allowing state government representatives to dominate occupational health and safety policy decisions. This bill will allow state Labor ministers to continue to hijack the national discussion on occupational health and safety, just as we saw with the New South Wales Minister for Industrial Relations last year. This is an ill-considered measure that is a backward step from the current situation.

Every workplace is different. I believe it is crucial that employers and employees work together to achieve workplace health and safety. But surely we would be best off doing that through getting those who know their workplaces best involved in developing occupational health and safety policy. Removing the influence of employees and employers from this process is irresponsible government. The influence of employees and employers and their union and industry representatives should be encouraged. Their participation should be increased, not lessened. Occupational health and safety policy outcomes that require changes to culture and other significant changes depend on employers and employees. Removing them from, or lessening their influence on, the policy development process is a very retrograde step.

I want to turn now to the other significant flaw in this bill, and that is that it proposes that parliament receive a report on the progress of Safe Work Australia every six years. I encourage the government to consider shortening this period of reporting. There is no logical element to a six-year time frame. It is totally out of line with the parliamentary term and it will not provide future governments with the information they will require to develop a national system. It is not responsible for the government to propose a bill that provides for an independent authority that will be dominated by state representatives and will remove employee and employer representation to only require that a report be provided to parliament every six years.
This bill is another example of a Labor policy that has been introduced with little consultation. Safe Work Australia is in some aspects a regressive step. Australia cannot afford ill-considered policies that increase the influence of incompetent state Labor governments at the expense of employers and employees and their representatives in union and industry bodies. I hope that the Senate will look at these matters in an inquiry into this bill. If they do, I encourage the government to work with the coalition to provide the best possible environment for developing a national occupational health and safety system in the best interests of all Australian workers and businesses.

Mr CRAIG THOMSON (Dobell) (12.49 pm)—I rise to support the Safe Work Australia Bill 2008 and the associated Safe Work Australia (Consequential and Transitional Provisions) Bill 2008. The purpose of the Safe Work Australia Bill is to establish Safe Work Australia as an independent Commonwealth statutory body to improve occupational health and safety outcomes and workers compensation arrangements in Australia. The announcement of the new body follows the historic signing on 3 July 2008, by the Council of Australian Governments, of an intergovernmental agreement for regulatory and operational reform in occupational health and safety. The intergovernmental agreement commits all jurisdictions to a process for the adoption of model OH&S laws and will enable the development of uniform, equitable and effective safety standards and protections for all Australians. The purpose of the Safe Work Australia (Consequential and Transitional Provisions) Bill is to repeal the Australian Workplace Safety Standards Act 2005 and to deal with the consequential and transitional matters arising from that repeal and from the enactment of the Safe Work Australia Act 2008.

Historically it has been trade unions which have driven the campaign to secure not just safe and healthy workplaces but also just compensation for workers killed and injured at work. Unfortunately, in its desire to rid workplaces of union influence, the former government made it more difficult for workers’ representatives to report and investigate breaches of workplace safety laws. In fact, the whole Work Choices legislation made it very difficult for workers to raise issues of concern with safety. If you are working on a factory floor under an individual contract and you can be dismissed without any recourse to unfair dismissal legislation, and there is something that may cost the employer money to fix but is affecting safety, which employee is going to go and raise that with the employer, when there is the threat of losing their job? Which employee would be brave enough to put their job on the line in relation to these issues, because Work Choices meant that they could be terminated without any reason? So Work Choices fundamentally was attacking the safety of all workers at workplaces around Australia.

This, coupled with individual contracts, put workers in Australia in the incredible position of not only having no bargaining power in relation to the conditions in which they worked, and being dealt with on an individual basis, but also having no unfair dismissal rights. So, if they wished to raise any opposition, any issues—they more generally about their workplace conditions or more specifically about OH&S issues—they did so at their own peril. This was the fundamental evil of Work Choices—the fundamental evil that the Australian people on 24 November rejected outright and said had to change.

There can never be too much priority placed on safety in the workplace. When people go to work in the morning, they expect to come home at the end of the day.
Anything that can assist in making the workplace safer, anything that can be changed to take away those sorts of risks, needs to be supported. More than 300 Australians are killed each year at work. Many more die as a result of work related disease. Each year over 140,000 Australians are seriously injured at work. The cost to our economy has been estimated at $34 billion per year. The cost to those injured and to their families, workmates and friends is inestimable.

In my electorate of Dobell, on the New South Wales Central Coast, there are still vivid memories in the community of the young mother left widowed when her husband was electrocuted on the job at a shopping centre refit, leaving her six-year-old son and nine-month-old daughter without a father. The young mother, Andrea Veigas, later said:

Every Australian worker deserves to work in a safe workplace. I don’t want Glen to just be a statistic. I want his death to be a wake up call to all employers, employees, governments and the whole of Australia.

That is a sentiment that one cannot argue against. More recently I was able to attend the memorial of a bricklayer in my electorate who was crushed by a wall at a new residential-golf estate, leaving behind a large family who are also now without their husband, father and grandfather. These are just two of hundreds of similar tragic stories heard across the country, a constant reminder that unsafe work environments are unacceptable.

I also think of the 228 truck drivers killed last year on our roads and the efforts that we need to make to ensure that this tragic road toll is reduced and that those truck drivers can go to work every day in a safer environment.

Safe Work Australia Week will be marked throughout Australia from 19 to 25 October. In reality, we should be thinking about the safest possible workplaces 24 hours a day, 365 days a year. Occupational health and safety is an important consideration for all Australian workers, their families and loved ones, and, of course, business. Good OH&S practices not only provide a safer working environment but improve worker morale and productivity. By pursuing good OH&S practices, businesses face fewer workplace injuries and benefit from higher employee retention rates and enhanced corporate image. This reduces the costs associated with production delays, recruiting new staff and replacing equipment, and it avoids the resulting uncertainty and workload pressures placed on co-workers. Businesses who strive to improve their OH&S performance create safer workplaces which benefit not only employers and employees but their families, their communities and the Australian economy. Commitment to better practise OH&S is best sustained through a focus on performance outcomes which can be reported on and monitored over time. Measurement of OH&S performance demonstrates a commitment to improving the safety of workers.

Achieving uniform standards across Australia will always present challenges. Before I came to this place, I was the National Secretary of the Health Services Union, and I can fully understand the difficulties of dealing with seven different workplace safety jurisdictions. Health organisations like Ramsay Health Care, which has hospitals in most states and jurisdictions around Australia, need to have specialists in each state to deal with the separate legislation that operates in each of those areas. The changes that these bills foreshadow will make that a thing of the past. They will make it easier for businesses to deal with these issues and to put greater resources onto the shop floor to make sure that workers are safer at their workplace. Coupled with these changes are other changes constantly occurring in this country’s work environment: an increasingly mo-
bile workforce across state boundaries, a growing trend towards short-term work contracts and a workforce where increasingly English is not the first language, as I have seen in my experience in the health services area. All these factors present hurdles for us as a society to offer safer workplaces. But our goals are attainable.

The establishment of Safe Work Australia is an essential part of the government’s strategy to improve safety outcomes and workers compensation arrangements across Australia. In order to achieve this it is vital that we have a central organisation that can collaborate with the Commonwealth, states and territories. The Safe Work Australia Bill establishes the operational arrangements to support this new statutory body, including provisions relating to the nomination, appointment and terms and conditions of members. The bill covers conflict-of-interest issues, procedures relating to the conduct of meetings and to decision-making processes, and the development of plans and requirements for reporting to the Workplace Relations Ministers Council. It enables the chair to constitute committees to draw upon a wide range of expertise for the performance of its functions.

Safe Work Australia will be a reform focused body with the power to make recommendations directly to the Workplace Relations Ministers Council. Safe Work Australia will replace the Australian Safety and Compensation Council. Safe Work Australia will be funded by both the Commonwealth, at 50 per cent, and the states and territories, at 50 per cent. Safe Work Australia will be a tripartite body comprising 15 members, including an independent chair, nine members representing the Commonwealth and each state and territory, two members representing the interests of workers, and two representing the interests of employers and the CEO. The minister will make all appointments to Safe Work Australia based on nominations from each body.

What a change it makes to hear discussion in this chamber about tripartite organisations, given the last 12 years. Very rarely in the last 12 years have members opposite mentioned in this chamber that unions and representatives of employees should actually be included as voices on these bodies. It is a great thing that this government is setting up this tripartite organisation to assist in making sure that our workplaces are safer.

Safe Work Australia will develop national policy relating to OH&S and workers compensation; prepare, monitor and revise model OH&S legislation; develop a compliance and enforcement policy to ensure nationally consistent regulatory approaches across all jurisdictions; develop proposals relating to the harmonisation of workers compensation arrangements; importantly, collect, analyse and publish OH&S and workers compensation data and undertake research; drive national communications strategies to raise awareness of health and safety at work; further develop the National OHS Strategy 2002-2012; and advise the Workplace Relations Ministers Council on OH&S and workers compensation matters.

The development of the National OHS Strategy 2002-2012, which I just mentioned, will be an important facet of the new Safe Work Australia body. This strategy already contains important targets for making Australian workplaces safer. These are to sustain a significant, continual reduction in work-related fatalities, with a reduction of at least 20 per cent by 30 June 2012, and to reduce the incidence of workplace injury by at least 40 per cent by 30 June 2012. The five priorities identified by the national strategy to achieve short- and long-term OH&S improvement and to nurture long-term cultural change are: to reduce the impact of risks at
work; to improve the capacity of business operators and workers to manage OH&S effectively; to prevent occupational disease more effectively; to eliminate hazards at the design stage; and to strengthen the capacity of government to influence OH&S outcomes.

The national strategy focuses on particular OH&S risks and industry sectors to maximise the impact of the initiatives. The risks targeted are musculoskeletal disorders, falls from heights and hitting or being hit by objects. These three risks account for more than half of the workers compensation claims across Australia. The four priority industry sectors originally targeted were building and construction, transport and storage, manufacturing, and health and community services. More recently, agriculture, forestry and fisheries were added as priority sectors. These sectors were chosen because they were identified through data analysis as having the highest incidence rates and/or a high number of workers compensation claims compared with other industries. By working with these sectors, not only are lives being saved but these industries will set examples of OH&S best practice for other employers to follow.

The bill will also create and maintain mechanisms for the review and revision of the effectiveness of Safe Work Australia in performing its functions. This will ensure that the new body is active and operating efficiently and responsively in meeting its strategic and operational goals. The minister will make all appointments to Safe Work Australia: the independent chair—and for this appointment the minister must consult the Workplace Relations Ministers Council; a Commonwealth representative; one representative nominated by each state and territory; and two representatives nominated by worker and employer groups authorised by the minister—this will enable the minister to identify bodies that represent workers and employers and seek nominations from them.

Safe Work Australia will be assisted by a non-voting CEO and staff. Safe Work Australia’s voting rules were agreed in the context of the intergovernmental agreement. For decisions other than decisions on the model OH&S legislation, 50 per cent of the voting members are required to constitute a quorum, with a two-thirds majority of those present required to agree to the decision. For decisions on the model OH&S legislation, there is an additional requirement that a majority of the Commonwealth, state and territory representatives must agree. Safe Work Australia will be jointly funded by the Commonwealth and the states and territories. Funding is estimated at $17 million in the first full year, with the Commonwealth contributing half of that—some $8.5 million.

The government has set itself the task of creating a seamless national economy unhampered by unnecessary state duplications, overlaps and differences. Occupational health and safety is a prime candidate for this sort of reform. Since coming to office we have undertaken a review of the Comcare scheme, set up an independent panel of experts to conduct a national OH&S review and developed a landmark intergovernmental agreement with our state and territory counterparts to harmonise occupational health and safety legislation nationally.

This bill, together with the intergovernmental agreement, ushers in a new era of cooperation and collaboration between the Commonwealth and the states and territories in this important area—a collaboration which will improve the health and safety of workers across Australia and reduce the complexity of regulation for businesses. Again, what a difference it is to hear in this chamber the government talking about cooperating with the states and territories rather than trying to
railroad them and run straight over the top of them as the previous government did with Work Choices.

Safe Work Australia will replace the Australian Safety and Compensation Council established by the Howard government as an advisory council whose functions were confined to coordinating, monitoring and promoting national efforts on health and safety and workers compensation. Occupational health and safety and workers compensation are too important to be neglected any longer. Workers’ lives and health are at stake, and so too is the efficiency of our economy. Occupational health and safety and workers compensation reform will increase profitability and productivity and better protect the lives and health of Australians. Safe Work Australia will play a pivotal role in this reform. I commend the bills to the House.

Mr NEUMANN (Blair) (1.05 pm)—My city of Ipswich prospered under the woollen mills, meatworks, railway workshops and coalmines. But I recall, as a young boy, the events of 31 July 1972 at 2.47 am. I remember waking up to a loud bang and thinking, ‘I wonder why my house is rocking.’ Many people who lived in Ipswich originally mistook the explosion that night at Box Flat mine for an earthquake. The previous evening, a fire that started in the mine had grown to the stage where it could not be extinguished. A final team of 14 men entered the mine via number 7 tunnel to investigate and explore options to contain the fire, while three more men were stationed and working at the entrance to number 5 conveyor belt tunnel. A short time later a huge explosion was to claim the lives of all 17 men, while others were injured. Rescue and recovery efforts were proposed but not undertaken due to the danger of further explosions and the reality that no-one could possibly have survived underground. The mine was then sealed, entombing those who remained.

There were injuries sustained by others in the explosion.

The Box Flat tragedy left an indelible mark on the city of Ipswich. A permanent memorial has been erected on Swanbank Road near the original Box Flat mine shaft to honour the men and to ensure the disaster will never be forgotten. The strong mining community of Ipswich was even stronger in 1972. Many people were related to the lost miners and knew them as comrades, friends or just acquaintances. They all felt the tragedy. The city of Ipswich was saddened and the tragedy left a legacy that the people of Ipswich will never forget.

I had the privilege of growing up opposite Digger Murphy, who was the head of the coalminers federation in Queensland, and reading, on many occasions, Common Cause, which was the coalminers federation’s newsletter. Just around the corner from me, former Ipswich Mayor Des Freeman lived with his wife, Colleen. Des was an organiser with what is now known as the CFMEU. He told me many stories, as did Digger, of the troubles and travails of the coalminers federation and of the occupational health and safety issues which they confronted every day.

I am pleased to speak in relation to the Safe Work Australia Bill 2008 because it affects the many men and women who work in difficult vocations in my community. Last Saturday I met with some meatworkers in my electorate office who told me about the difficulties in the meat industry, the hard yakka that they undertake and the challenges to occupational health and safety that they face every day.

The Minister for Employment and Workplace Relations, Julia Gillard, released the comparative performance monitoring report on Australia’s occupational health and safety and workers compensation outcomes in
It was subsequently endorsed in Sydney by the state and territory workplace relations ministers. The key findings of that report are startling. In 2006-07 there were 236 fatalities recorded in Australia, of which 177 were from injuries and musculoskeletal disorders and 57 were from other diseases. Body stressing continues to be the mechanism of injury and disease that accounts for the greatest proportion of claims: 42 per cent. The manufacturing industry recorded the highest incidence of claims per 1,000 employees—27.5; followed by transport and storage—25.9; agriculture, forestry and fishing—25.3; and construction—22.1. Over three-quarters of injured workers successfully return to work within eight to 10 months of sustaining their injury.

The truth is that we need to harmonise Australia’s OHS laws. That was an election commitment by the Rudd Labor opposition, and it is a priority for COAG, for the Productivity Commission and for the states. Historically, the 19th century saw the rise of safety legislation for the old factories and shops, going back to 1878 and 1901. By 1970, each of the six states had their own OHS statute based on the traditional British model. The weaknesses of this traditional approach were well known to most people. There was a mass of detail, there were technical rules which were difficult to understand and not kept up to date, and standards were ad hoc and mainly based on factory based physical hazards. There was uneven coverage across workplaces. It really did not give much incentive to innovate to look for better arrangements for workers and it did not give much incentive for employers to do likewise.

Before the 1990s most of the OHS regulations in the Australian jurisdiction were in separate instruments. It was not uncommon for each jurisdiction to have dozens of sets of regulations, each covering a specific hazard. So we were left with a great legacy of problems of overregulation and trouble in terms of working out which particular regulation, instrument or law applied to which workplace. The sad thing about the previous coalition government was their desire to drive trade unions from the workplaces of Australia. That had an impact not just on wages and conditions but also on OHS. In fact, I just could not understand why they put in prohibited content the idea that workers could be paid leave to attend meetings conducted by and made up of trade union members, which would include OHS training. It goes to show the extent to which they opposed OHS training in the workplace. The idea of averaging out your work over a maximum 12-month period, effectively overriding the 38-hour week, had the impact of increasing the likelihood of an overworked labour force and, therefore, more injuries in the workplace, not to mention restrictions on right of entry in the circumstances.

The 2007 Queensland inquiry into the impact of Work Choices on Queensland workplaces found that employers and employees were extremely apprehensive about job security, leading many employees to refrain from raising occupational health and safety issues. That is no surprise because trade unions have been critical in raising the awareness of OHS and forcing greater commitment by management to prevent accidents. There has been a great deal of struggle by the unions to improve the laws in this regard. They have demanded so much more on behalf of their members who have suffered disease, injury and illness as a result of failures in the workplace.

The University of New South Wales study in 2005 reviewed 106 cases published between 1966 and 2005, measuring OHS effects on job security and workplace changes, which included a number of indices such as injury, disease, hazard exposure, stress and compliance with OHS laws and management.
systems. The results were compelling. Of 61 studies of job insecurity and downsizing, 53—87 per cent—found adverse OHS effects. Among 23 studies of outsourcing, subcontracting and home-based work, all 23—100 per cent—found an adverse effect on OHS. Of 22 studies of casual work labour hire, 15—68 per cent—found worse OHS comparable to permanent employees. That goes to show that the casualisation of the workforce and the driving out of trade unions from the workplace resulted in greater hazards to workers.

The James Hardie situation is probably the starkest example of a company’s failure to care for its workers’ occupational health and safety. It is expected that 30,000 to 40,000 Australians will have contracted an asbestos related cancer by 2020. This compares to the 40,500 military deaths suffered by Australians in World War II. The mining and manufacturing of asbestos products took place in Australia for most of the last century. It was widespread until the 1980s. From the 1950s until the 1970s, Australia was the highest per capita user of asbestos in the world. Every third domestic dwelling built before 1982 was thought to contain asbestos. It was used in cement sheeting or fibro—I grew up in a fibro house—until the mid-1980s. Asbestos was finally banned in Australian workplaces only in January 2004.

The Productivity Commission inquiry in 2004 on national workers compensation and occupational health and safety frameworks pointed to the compliance burdens, costs and inefficiencies of multistate employers having 10 principal workers compensation schemes and OH&S regimes. The Howard government did little in this regard. They seemed to want to federalise OH&S in some respects, but it seemed to have the effect of reducing protection for workers. For example, the Occupational Health and Safety (Commonwealth Employment) Amendment Act 2005 reduced the need for employers to consult with unions over the appointment of health and safety representatives. The Occupational Health and Safety (Commonwealth Employment) Amendment (Promoting Safer Workplaces) Bill 2005 invalidated industrial manslaughter provisions of the ACT Occupational Health and Safety Act and of similar industrial manslaughter laws enacted by the states and territories. They are just two examples of where the previous government failed in terms of OH&S.

The Rudd government is committed to safer workplaces. As I said, the former Howard government failed to address significant issues in the area of workplace health and safety because of its blinkered ideological obsession with Work Choices. We must rid ourselves of the legislative and regulatory contradictions, distinctions and double-ups. Workplace health and safety will not be forgotten under the Rudd government as it was under the Howard government. We believe that inaction in the area of workplace health and safety is bad for business and bad for employees. I am happy to speak on this bill because it affects my local community, where so much industrial activity goes on. We have in Ipswich 43 per cent of the industrial land in South-East Queensland, so it is a very important issue for my local community. At its core, this bill ends unnecessary duplication and overlap. It will harmonise occupational health and safety regulations, uphold existing safety standards, streamline the different state systems and reduce complexity for all concerned. It delivers on our pre-election promise to commit to safer workplace reform and to introduce legislation to establish a national body tasked with adopting a uniform state and territory approach to occupational health and safety and workers compensation.

The announcement of the new body, Safe Work Australia, follows agreement between
the Commonwealth, states and territories to harmonise laws and systems. This intergovernmental agreement, reached at the Workplace Relations Ministers Council on 3 July 2008, commits all jurisdictions to a process for the adoption of model occupational health and safety laws that will enable the development of uniform, equitable and effective safety standards and protections for all Australian workers. Governments on both sides have done this on numerous occasions in the past in the areas of corporation law and defamation law, and the current government is doing it in the area of family law.

Safe Work Australia will replace the Australian Safety and Compensation Council established by the Howard government, which was simply an advisory body. What we are doing today is a huge departure from that body. Unlike the Australian Safety and Compensation Council, Safe Work Australia will be an independent, reform focused body with the power to make recommendations directly to the Workplace Relations Ministers Council. It is certainly an advance on the previous government’s model. It is intended that Safe Work Australia will end complex and costly inconsistencies in occupational health and safety and workers compensation laws across Australia. As the minister promised, it is an inclusive, tripartite body.

It is a disturbing reality that more than 250 Australians were killed and about 140,000 seriously injured last year. The cost to the Australian taxpayer is upwards of $34 billion a year. That is an extraordinary cost to the Australian taxpayer. And, for those people who experienced the Box Flat mining disaster, the cost to them was horrendous. As the Deputy Prime Minister aptly stated:

Our health, safety and compensation systems are in a sorry state—unnecessarily complex and costly.

It is a sad reality that inconsistencies between the jurisdictions expose workers to a greater risk of working in workplaces with poorer safety standards. It is simply unacceptable in the 21st century that we have such complexity, paperwork and costs for the 39,000 Australian businesses that operate across state boundaries.

Safe Work Australia will be a nationally independent statutory authority established to lead and improve occupational health and safety and workers compensation. Its membership comprises the Commonwealth, states and territories, workers, employers and the CEO. It is great that we have workers’ representatives on this body, because they are the ones, along with employers, who experience this day in and day out. This is a significant departure from the attitude of the previous government with respect to the involvement of workers’ representatives. I am not fazed or worried about the review, which will be conducted every six years. There seems to be some consternation opposite in relation to this issue. It does not concern me at all, because I think that this process needs time to work its way through.

With an initial budget of $17 million and an independent chair, this statutory body will be a prescribed agency under the Financial Management and Accountability Act. One of the first tasks it will undertake will be to develop the model occupational health and safety legislation for all jurisdictions. The Inter-Governmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety, which was signed by the leaders of the eight jurisdictions, is a landmark agreement. It is the first time in the history of our Federation that governments from each state and territory have formally embarked on harmonising our occupational health and safety. The intergovernmental agreement underpins the Council of Australian Governments agenda to harmonise oc-
occupational health and safety across Australia by 2011. The Workplace Relations Ministers Council will be responsible for undertaking this process, with details delegated to the new national occupational health and safety body. The objective of the reform covered by the agreement is to produce the optimal model for a national approach, as I said.

I am pleased to speak on this bill because it will have a big impact on the meatworks where I had my first job, which employs 2,300 people in the local area; the coalmines, which still operate in the wider Ipswich area; the gas stations; the railway workshops in the Ipswich area; the butter factory, where my father worked; and so many other businesses which make up the Ipswich area, including the booming aerospace industry. Safety in the workplace for white-collar workers and safety in the workplace for blue-collar workers is essential, and we cannot ignore those challenges.

It is terrific that the Rudd government is undertaking this task. It is appropriate. And it is a sad indictment that, after nearly 12 years, the Howard government failed, and failed miserably, in this regard, blinkered by their obsession with Work Choices and their attack upon the working men and women of this country. It is a shame that they failed in this regard and it is left to us, on this side of the House, to undertake the task to protect the rights and interests of workers not just in terms of their wages and conditions but in terms of their occupational health and safety. I commend the bill to the House.

Mr SYMON (Deakin) (1.24 pm)—I rise today to speak in support of the Safe Work Australia Bill 2008 and the Safe Work Australia (Consequential and Transitional Provisions) Bill 2008. As promised during the 2007 election campaign, Labor is committed to introducing a new national and independent authority to both lead and improve occupational health and safety and workers compensation arrangements in Australia. The Safe Work Australia Bill provides for Safe Work Australia to have representatives of unions, employer groups, state and territory governments and the Commonwealth government, along with an independent chair. The organisation’s budget will be 50 per cent funded by the Commonwealth, with the states and territories providing proportional funding for the remaining 50 per cent.

A key priority of Safe Work Australia will be to develop model OH&S legislation for adoption by all state and territory jurisdictions, model legislation that will be delivering on the Rudd government’s commitment to harmonise OH&S laws whilst working in cooperation with all state and territory governments. Along with the development of model OH&S codes of practice and other OH&S materials, Safe Work Australia will prepare a national compliance and enforcement policy. Safe Work Australia will also undertake research and collect, analyse and publish OH&S and workers compensation data.

This bill as presented follows on from the signing by all of the states and territories and the Commonwealth of the Inter-Governmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety earlier this year. The intergovernmental agreement contains a process for the adoption of model OH&S laws by all Australian jurisdictions and will enable the development of effective, equitable and—just as importantly—uniform safety standards and protections for all Australians at work. Existing national standards and codes of practice developed by the Australian Safety and Compensation Council and its predecessor, the National Occupational Health and Safety Commission, will be preserved under the consequential and transitional provisions bill. Safe Work Australia will also have the power
to declare national standards and codes of practice relating to OH&S matters until 1 January 2011. Over time, these standards and codes of practice will be replaced by model regulations and codes of practice approved by the Workplace Relations Ministers Council.

In April this year, the Minister for Employment and Workplace Relations, the Hon. Julia Gillard, announced a national review into model OH&S laws. A three-person panel has been asked to review OH&S legislation in each state, territory and Commonwealth jurisdiction for the purpose of making recommendations on the optimal structure and content of a model OH&S act that is capable of being adopted in all jurisdictions. The review will examine the division of duties of care between employers and employees, including the identification of duty holders, along with the scope and limits of duties. This first stage of the review will also examine the nature and structure of safety offences, including defences to safety breaches. It will make recommendations to state and federal workplace relations ministers by 31 October.

A later report, due by 30 January 2009, will cover other areas. These will include scope and coverage, including definitions; workplace based consultation, participation and representation provisions, including the appointment, powers and functions of occupational health and safety representatives and OH&S committees; enforcement and compliance, including the role and powers of OH&S inspectors and the application of enforcement tools, including codes of practice; regulation-making powers and administrative processes, including mechanisms for improving cross-jurisdictional cooperation and dispute resolution; permits and licensing arrangements for those engaged in high-risk work and the use of certain plant and hazardous substances; and the role of OH&S regulatory agencies in providing education, advice and assistance to duty holders.

These reports will form the basis of the model workplace safety laws, which the Council of Australian Governments has agreed to produce within five years. When the reports are handed down, Safe Work Australia will be responsible for developing national policy relating to OH&S and workers compensation and preparing model OH&S legislation, model regulations and model codes of practice based on the findings and recommendations of the review reports.

Every year over 300 Australian workers are killed at work. The number who die from various occupational diseases has been estimated at 10 times that amount. Every year over 140,000 Australians are injured whilst at work. These figures, whilst appalling in human terms, also place a massive burden on Australia’s economy, estimated to be a cost of $34 billion per year. There is no excuse for ignoring the safety of workers in the workplace. There is nothing more important than a worker returning home, at the end of a working day or shift, in as good a shape as at the start of the day’s labour. And there certainly is no good reason why some workers should be afforded less protection at work just because they happen to work in a different state or territory than others. Each state and territory has different acts and regulations covering occupational health and safety. Some good acts and regulations and some not so good acts and regulations can be found in each jurisdiction. What might have been good practice 15 or 20 years ago is not necessarily up to date with that of other legislatures now.

It is very easy to forget that only 15 years ago the vast majority of the population had no access to, and in most cases had not even heard of, the internet, let alone used it as a means of information gathering or research.
outside of a university setting. Just being able to find a copy of another state’s act, regulation or code of practice took a great deal of time and money as various letters and heavy packages were sent across the country. Best-practice outcomes in one state could remain off the radar in other jurisdictions for years at a time due to the difficulty of accessing, especially on a work site, OH&S information for comparison. With internet access now available in most places, there is a much greater need for consistency in OH&S so that, when a solution is found for a problem in one jurisdiction, it can be analysed and, if relevant, applied elsewhere within a far shorter time frame than could previously have happened.

For many years I worked on site in the construction industry as an OH&S representative and at other times as a safety officer. Whichever side of the fence I happened to be working on, the task did not really change. On both sides it was about being proactive and keeping up to date with what was happening on other sites, not just in the city of Melbourne and in Victoria but in other states and across the world. There should never be any excuse for not undertaking a job safety analysis and risk assessment prior to work progressing. Shortcuts in safety do not mean that the job gets done more quickly; they mean that it gets done with a much greater risk of something going wrong. Education of both employers and employees is the key to good safety outcomes and it is vital that this area is never ignored. Far too many times I have seen the results on site when safety was ignored, usually at great physical cost to a worker or placing a worker under risk.

Having been an OH&S representative or an OH&S officer, I know that one very important aspect of the job is the collection and analysis of safety related data and statistics. The complexity of the job could be enormous at times. There were so many different approaches to OH&S solutions in Australia alone. Each state had its own approach and there were sometimes subtle or major differences between legislation, regulations and codes of practice. This has extended into areas of occupational licensing such that, even if a nationally recognised course is completed in one jurisdiction, it is not automatically recognised in another. As a licensed electrician by trade, I can speak from personal experience. Over the years I have held several different state licences to work as an electrician but all have been based on the same Victorian apprenticeship training and licensing exam dating back more than 20 years. Licensing is an essential public protection that ensures that electricians are appropriately trained and qualified. It is a longstanding and effective safety measure but has always been controlled by the separate state and territory authorities. In turn, each jurisdiction has developed its own special rules and requirements on top of the mandatory Standards Australia wiring rules. Mostly these differences were quite minor in nature, but a licence issued in one state would not be accepted in any other. Working around the country with three or more licences to perform the same job never made any sense. The equivalent would be having to hold another state’s driving licence every time you travel across the border.

The issue of recognition of interstate occupational trades licensing has been dealt with by COAG since the election of the Rudd Labor government last November. This is but one small example of how different jurisdictions can affect an individual worker. In each state and territory and under the Commonwealth, workers compensation systems are varied and provide different coverage and payments to injured workers and the dependants of those who tragically die or are injured whilst at work. And in recent years we have seen the former Howard govern-
ment extend the Comcare system into private enterprise areas that the scheme was never designed for, such as mining, transport and construction. The Comcare scheme was primarily designed for white-collar jobs in the public sector, not blue-collar jobs in heavy industry. The OH&S compliance issues that arise from having competing schemes operating are still to be fully understood, but work site inspections, notices and prosecutions are much lower under Comcare than under the competing state schemes. As the member for Corio noted in his speech on this bill:

… if you were an employer in Victoria in that year—2005-06—
you were 24 times more likely to be the subject of an inspection—under WorkSafe Victoria—

than if you were an employer in the Commonwealth jurisdiction.

This figure does not indicate that work practices and safety outcomes improve just because an employer has managed to move from a state OH&S system into the federal Comcare system. It comes about because of the woefully small number of inspectors employed and work site inspections undertaken in comparison with WorkSafe Victoria. The Workplace Relations Ministers Council’s Comparative performance monitoring: seventh report: November 2005 found that Comcare undertook 245 ‘workplace interventions’—also known as site visits—compared to WorkSafe Victoria’s 43,719 site visits. In that period Comcare issued only 17 safety prohibition and improvement notices in Victoria whilst WorkSafe Victoria issued 12,492 notices. And in the report’s time frame, Comcare did not prosecute anyone in Victoria, whilst WorkSafe Victoria launched 110 prosecutions. The role of a workplace inspector for a safety authority is vital, but there must be a sufficient number of inspectors to cover the workforce and there must be an organisational will to be proactive where it counts—that is, on site.

Developing proposals to harmonise workers compensation arrangements across the Commonwealth, states and territories is an essential part of this bill. Just as important is the development of proposals for national workers compensation arrangements for employers with workers in more than one jurisdiction. Rather than forcing states and territories to toe the Howard line, as we have seen with the spectacular failure of Work Choices, where millions of workers were ripped off with wages and conditions with no recompense, the Rudd government is vitally aware of the impact that changes in the workplace can have on the lives of working people. Although Work Choices is still held dear to the hearts of all those opposite, without exception we see and hear day after day in this House the sheer arrogance and the out-of-touch views that in the Liberal Party also extend to working people’s safety on the job.

We do not need competing workers compensation and OH&S systems that provide different levels of safety and coverage. We need OH&S systems and workers compensation schemes that work proactively to reduce accidents and to improve safety outcomes, and this bill provides the framework for that outcome. I commend this bill to the House.

Mr ZAPPIA (Makin) (1.38 pm)—I, too, rise to speak in support of the Safe Work Australia Bill 2008 and the Safe Work Australia (Consequential and Transitional Provisions) Bill 2008. In fact, I very much welcome the opportunity to speak about a matter which affects the wellbeing of almost 11 million working Australians. I begin by pointing out that the introduction of these bills is in fact quite timely; it comes just after the
Seoul Declaration on Safety and Health at Work was agreed to on 29 June this year. The declaration comes after some 4,000 people, including industry leaders, policymakers and experts from over 100 countries, met in Seoul in the Republic of Korea from 29 June to 2 July for the 18th World Congress on Safety and Health at Work. I quote from parts of that declaration. I will not quote it all because it is too long, but I will quote in particular from the preamble, which says:

Recognizing the serious consequences of work-related accidents and diseases, which the International Labour Office estimates lead to 2.3 million fatalities per year world-wide and an economic loss of 4 percent of global Gross Domestic Product (GDP),

Recognizing that improving safety and health at work has a positive impact on working conditions, productivity and economic and social development ...

That is in the preamble. The declaration itself, in part, goes on to say that governments should:

Ensure that the occupational safety and health of workers is protected through an adequate and appropriate system of enforcement of safety and health standards, including a strong and effective labour inspection system.

In part 5, where it refers to employers, it says:

Employers should ensure that

• Prevention is an integral part of their activities, as high safety and health standards at work go hand and hand with good business performance.
• It then goes on to say that employers should ensure:
• Affirming the workers’ right to a safe and healthy working environment, workers should be consulted on safety and health matters ...

Those are some of the comments made at an international meeting only two months ago where the importance of health and safety was debated and, interestingly, agreed to by people representing some 100 countries and a collection of 4,000 people, including government, industry organisations, labour organisations and so on. As I said earlier, I believe it is most appropriate that these bills are being debated in this House at this time.

The opportunity to have a meaningful job, earn an income and be self-reliant is probably the single most important objective for most Australians. Job creation underpins and drives much of our economic policy. One measure of success or failure of economic policy is unemployment rates or, conversely, employment numbers. There is no question that being employed is very important for the quality of life of a person and for the family members of that person; but, just as we go to great lengths to create jobs, we should likewise go to great lengths to ensure that those jobs are safe and that the workplaces where those jobs are created are safe workplaces—safe workplaces which ensure a worker’s safety both during the course of the work and in the years thereafter.

All too often the risks and injuries related to workplaces are not evident until many years later. That in turn makes claims for compensation or other forms of assistance extremely difficult and complicated. Only last Saturday week, whilst attending the 10th annual charter dinner of the Para districts sub-branch of the National Servicemen’s Association, I came across a typical example of a work injury which was only exposed several years after the person left the workplace where it appears the injury—or, in this case, the illness—was caused.

At that function I spoke to an acquaintance whom I had not seen for several years. He informed me that he had recently been diagnosed with asbestosis. Some years ago he had worked with asbestos products as a tradesman, and one can only conclude that
the work had contributed to his now serious illness. Proving that many years later would be very difficult. Sadly, his case is similar to that of thousands of other Australians who over the years worked with asbestos products and in later years, sometimes years after their employer ceased to operate, were diagnosed with asbestosis—or mesothelioma, as it is medically known.

The plight of asbestos victims rose to national prominence in recent years as a result of the James Hardie case and the work of Bernie Banton and others associated with asbestos victims. My association with asbestos victims goes back some years. For several years I have been a patron of the Asbestos Victims Association of South Australia. I was able to assist them to establish in the city of Salisbury a memorial to the many asbestos victims who, in most cases, were victims of unsafe workplaces. I met Bernie Banton when he attended an annual memorial service for asbestos victims in Salisbury some three years ago. I also knew well Colin Arthur, the founder of the Asbestos Victims Association of South Australia. Like Bernie Banton, he too became a victim of asbestosis and a champion for sufferers of this terrible disease. Colin Arthur also lost his battle with asbestosis and passed away shortly before his friend and colleague Bernie Banton passed away.

What Colin Arthur and others were able to achieve, however, was to draw attention to the responsibilities and obligations of employers, particularly those in the asbestos industry, with respect to workplace safety. The work of Bernie Banton, Colin Arthur and others associated with asbestos disease is not over; it continues today. In South Australia, Terry Miller, who now heads the Asbestos Victims Association, and a small team of volunteers are continuing their fight for fair compensation for asbestos victims and for safety in the workplace—where asbestos products still exist—because asbestos products are still prevalent throughout communities. The handling of asbestos products poses a risk for workers, particularly workers in the building and demolition industries.

According to research carried out by Dr Mark Clements from the National Centre for Epidemiology and Population Health at the Australian National University, the peak in mesothelioma cases is likely to occur in about 10 years time. So we have not seen the worst of this deadly disease even though we stopped using asbestos products some years ago. What makes the issues associated with asbestos even more repugnant is the fact that asbestos producers knew 100 or more years ago that they were producing a deadly product. In fact, as far back as 1918 it was reported that life insurance companies refused to issue life insurance policies to people who worked in the asbestos industries. Yet companies like James Hardie and others knowingly put the lives of people at risk. That is unforgivable. They should have faced far more serious charges than they did.

I also want to raise the issue of workplace safety in the transport industry. It was interesting to hear many of the speakers debate the AusLink (National Land Transport) Amendment Bill 2008 only a few days ago. Many of them quite properly referred to the poor condition of many roads and to the risks faced by many drivers in the transport sector which often result in the death of drivers. What was not highlighted, however, in drawing attention to the risks and injuries caused in the transport sector is that these are not just road deaths but workplace injuries as well. When the issue of injuries or deaths resulting from transport accidents is raised, the fact that they are also workplace injuries is often overlooked or not considered. These are workplace injuries or deaths, and in no way should the safety obligations of the employers in the transport sector be transferred
and the injuries dismissed as just road accidents. It is also the case that transport workers, more so than workers in many other industries, often work across state borders. They provide a good example of why we need national consistency in workplace laws and compensation laws, which is exactly what this bill aims to do.

Before being elected to this place I worked extensively with injured workers, assisting them with their physical rehabilitation so that they could return to work. Some of the injuries I saw were horrific. What I also noted was that the overwhelming number of people who suffered from workplace injuries were keen to return to work and resume a normal life. Just because they were on rehabilitation programs or being paid workers compensation did not mean they were rorting the system. They did not enjoy being out of work. Their self-esteem dropped, their standard of living declined and their general quality of life suffered not just because of the injury but just as much because they were unable to work and felt that they were dependent on others. What was just as demoralising for them was the stigma of being on compensation and the lack of compassion with which they were often treated by insurance companies, government officials, sometimes medical professionals and even some of their friends and colleagues.

Sadly, many of these people are never adequately compensated for the injuries they sustain because, out of frustration with the process they have to navigate and the length of time it often takes, they accept whatever is offered just so that they can try and resume a normal life. Just as disheartening for them is that, when they do want to re-enter the workforce, they may be discriminated against because of their history of having a work related injury. It is also of concern to me that those who are in the most unsafe workplaces and exposed to greater workplace risks are often young people, migrants and those who work in lower paid jobs. Those people are often not aware of their rights or they need the work too much to speak out, even when they know the workplace is unsafe.

The other matter I wish to raise in conjunction with this bill is the impact that the intensely competitive markets can have on workplace safety and the behaviour of employers. I note that the member for Deakin, in his address, made similar comments. I endorse the comments he made about the impact on workplace safety. In recent years I have noted a trend whereby employers, in order to remain competitive, are cutting costs to the point where employees are being placed at increased levels of risk. Employees are often asked to work longer hours or to do more work because of skill shortages or simply because it costs the employer less to pay employees overtime than to employ additional staff. The result is that, with tiredness, the risk of injuries rises. The truck drivers I referred to earlier are an obvious example of this, but they are certainly not the only group in this category. It happens in so many other workplaces in the manufacturing industry, where tiredness obviously increases the risk of machine operators getting hurt. Cutting back on staff or on maintenance has a similar effect.

I want to quote from a press release issued by the Civil Aviation Safety Authority on Monday, 1 September. It relates to Qantas. CASA's operations officer, Mick Quinn, stated:

CASA has looked carefully at the Qantas maintenance systems and performance and uncovered signs of emerging problems.

The review found maintenance performance within Qantas is showing some adverse trends and is now below the airline's own benchmarks.

By taking action now future safety problems will be avoided.
CASA was inquiring into some safety concerns in respect of the airline industry generally and into some incidents that had occurred. The comments in that media release highlight what is happening in industries across the board where, in order to save costs, maintenance regimes are not being implemented. Obviously, what then occurs is that safety standards deteriorate. In this case the emphasis is on the public who use the airlines. But what is not acknowledged in that media statement is that, apart from the passengers who are using those airlines, there are also the pilots and crew who are working for a living, and in their case it is an occupational, health and safety issue. Hopefully, this legislation will address many of those matters.

There is another safety matter that has been occurring in recent years which has often gone unrecognised. Because of cost cutting by the private sector in many service industries, we have seen an escalation in the number of office workers who are facing risks because their workplaces are unsafe as a result of the hostile clients of those companies. Recent media statements about that very matter have revealed that the safety of office workers is being put at risk because the service is deteriorating because staff simply cannot cope with the workload. Clients become upset, agitated and angry and take their frustrations out on the staff who are working in those offices. That is another occupational health and safety matter that has resulted from cost cutting.

The last matter that I wish to speak to is the introduction by the Howard government of its workplace laws and the impact that those laws have had on occupational health and safety. I commend the member for Dobell, who made some comments in respect of this matter. He highlighted some safety incidents and how safety standards are deteriorating as a result of the Howard government’s laws. Perhaps it was one of the unintended consequences but the fact is that health and safety has deteriorated as a result of the previous government’s workplace laws.

On that very matter I was contacted recently by workers in South Australia who were gravely concerned about unsafe work practices at their place of employment. These practices appear to have escalated since the rights of working Australians were eroded by the Howard government. There is no question that, in the case of the workers who approached me, the reason why workplace safety has deteriorated is the Howard government’s Work Choice laws and the prevention of safety officers from moving into those work areas and ensuring that workplace safety is up to the standards that we all would expect. There are many examples of where workers’ safety has been placed at risk and is still at risk. With the election of the Rudd Labor government not only are those laws being changed—and that in itself will make a lot of difference to the ability of workers to ensure that their workplaces are safe—but we now have this additional bill which takes the issue of workplace safety so much further. Since I was talking about cost cutting and the implications it has for workplace safety, I make this point as strongly as I possibly can: the safety of people at their workplace should never be jeopardised because of cost cutting by employers.

I want to make one point about the constant criticisms I have heard from members opposite that this new body will be ‘stacked’—to use their expression—by representatives of the state and federal governments. Given that the new body will be jointly funded by the Commonwealth and the states, it would seem to me quite reasonable to ensure that each state contributing funds has at least one representative on the new board. More importantly, members opposite
are prejudging the competency and impartiality of the people who will be appointed to this board, without even knowing who those people will be. I am sure that those people will be appointed because of their merits and their understanding of safety in the workplace and for no other reason. There will be appointments that will serve not only the interests of their state but, I am sure, the interests of the 11 million workers in Australia when it comes to matters of health and safety.

I conclude on this note: when those members opposite criticise the states’ rights to appoint someone to this board, are they now also criticising the Western Australian government, which is no longer a Labor government, or are they saying that it is only the Labor governments which are incompetent when it comes to managing workplace safety laws? I suspect that, since the change of government, they will wholeheartedly welcome the appointment of a person to this body by the Western Australian government. Whoever that person may be, I am sure they will represent the best interests of the broader community. This bill goes to the heart of bringing consensus, uniformity and some fairness and safety into the workplaces of Australia’s 11 million workers. I commend the bill to the House.

**MINISTERIAL ARRANGEMENTS**

Mr Rudd (Griffith—Prime Minister) (2.00 pm)—I inform the House that the Minister for Foreign Affairs will be absent from question time today. The Minister for Trade will answer questions on his behalf. I also inform the House that the Minister for Sport and Minister for Youth will be absent from question time today as she is in Melbourne launching the Smartplay sports safety guidelines for children. On her behalf, the Minister for Health and Ageing will answer questions regarding sport and the Deputy Prime Minister will answer questions regarding youth.

**PAKISTAN: TERRORIST ATTACK**

Mr Rudd (Griffith—Prime Minister) (2.00 pm)—Mr Speaker, on indulgence: the Australian government condemns the cowardly suicide bomb attack on the Marriott hotel in Islamabad, Pakistan on 20 September. This brutal attack on civilians has killed at least 60 people and injured scores of others. Our condolences and thoughts are extended to the victims of the attack and their families. This attack on innocent people is a reminder of the terrorist threat to democracy and security in Pakistan. It is a threat against which the Australian government will stand united with the democratically elected government of Pakistan.

Pakistan has proved to be resilient in the face of a series of terrorist outrages. These are attacks aimed at the democratic institutions of Pakistan and the people of that country. Pakistan’s new President, Asif Zardari, has underlined that he and his administration will confront this terrorist challenge. Mr Zardari, of course, suffered his own tragic loss when his wife, Benazir Bhutto, was assassinated by terrorists just a few months ago. Terrorist attacks have continued since, but in the face of this violence the people of Pakistan remain overwhelmingly committed to democracy and moderation. Australia, as a friend of Pakistan, will assist that country in every way possible as it deals with the threats that it faces. The government of Pakistan is looking at ways in which we can expand our efforts to assist Pakistan in its fight. We are looking at practical ways to build on our existing law enforcement assistance and other assistance to Pakistan.
Offering this assistance is good for Pakistan but also good for Australia. Pakistan is an important state for regional and global security. What happens in Pakistan, including in its border areas with Afghanistan, has an impact on its regional neighbours and the world and is therefore of direct relevance to Australia’s continued presence in Afghanistan. For Australia, therefore, a stable, secure and democratic Pakistan is important to the success of our mission in Afghanistan. We are thankful that there are no reports at this time of any Australians being affected by the bombing and we will commit ourselves further in the fight against terrorism both at home and abroad.

Mr Turnbull (Wentworth—Leader of the Opposition) (2.02 pm)—Mr Speaker, on indulgence: the opposition associates itself with the Prime Minister’s condemnation of this cowardly attack. We join with the government in sending our condolences to the innocent victims, their families and friends. This is a tragic attack. It is a betrayal of everything that Islam stands for. It was particularly heinous because it coincided with the traditional Iftar dinner that was being held in the Marriott’s banquet hall at the time. This is the evening meal for breaking the daily fast during the Islamic month of Ramadan, itself a time for peace and reflection. Those terrorists debased the name of Islam. They debased the cause of peace.

This is a reminder of how hard the battle is for freedom and democracy around the world, how great the challenges are in a country like Pakistan and how courageous leaders are required to be in that country. The bombing came just after newly elected President Zardari delivered his first speech in parliament. As the Prime Minister observed, President Zardari’s wife, Benazir Bhutto, twice Prime Minister of Pakistan and a heroic figure in her own right, was killed in a bomb attack moments after decrying violence in her country at a rally in Pakistan in December last year. What courage is required of democratic leaders in those countries, particularly Pakistan, today! Benazir Bhutto, the daughter of a Prime Minister hanged by his political opponents, was herself blown up in a terrorist bomb attack! These are very tough times for the cause of democracy in Pakistan, and the Australian government should do everything it can to support those who are courageously standing up for freedom in that troubled country.

**SHADOW MINISTERIAL ARRANGEMENTS**

Mr Turnbull (Wentworth—Leader of the Opposition) (2.05 pm)—by leave—I table the new coalition shadow ministry list, dated 22 September 2008.

The document read as follows—

**COALITION SHADOW MINISTRY**
22 September 2008

<table>
<thead>
<tr>
<th>TITLE</th>
<th>MINISTER</th>
<th>OTHER CHAMBER</th>
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<tr>
<td>Leader of the Opposition</td>
<td>The Hon Malcolm Turnbull MP</td>
<td>Senator the Hon Nick Minchin</td>
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<tr>
<td>Shadow Treasurer (Deputy Leader of the Opposition)</td>
<td>The Hon Julie Bishop MP</td>
<td>Senator the Hon Helen Coonan</td>
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<tr>
<td>Shadow Minister for Financial Services, Superannuation and Corporate Law Shadow</td>
<td>The Hon Chris Pearce MP</td>
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<tr>
<td>Assistant Treasurer</td>
<td>The Hon Tony Smith MP</td>
<td>Senator the Hon Ian Macdonald</td>
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<tr>
<td>Shadow Minister for Trade, Transport, Regional Development and Local Government (Leader of The Nationals)</td>
<td>The Hon Warren Truss MP</td>
<td>Senator the Hon Ian Macdonald</td>
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<td>Shadow Parliamentary Secretary for Northern Australia</td>
<td>Senator the Hon Ian Macdonald</td>
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<td>Shadow Parliamentary Secretary for Roads and Transport</td>
<td>Mr Barry Haase MP</td>
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<td>Shadow Parliamentary Secretary for Regional Development</td>
<td>Mr John Forrest MP</td>
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<tr>
<td>Shadow Minister for Broadband, Communications and the Digital Economy (Leader of the Opposition in the Senate)</td>
<td>Senator the Hon Nick Minchin</td>
<td>The Hon Bruce Billson MP</td>
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<tr>
<td>Shadow Minister for Innovation, Industry, Science and Research (Deputy Leader of the Opposition in the Senate)</td>
<td>Senator the Hon Eric Abetz</td>
<td>The Hon Ian Macfarlane MP</td>
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<tr>
<td>Shadow Minister for Infrastructure and COAG and Shadow Minister Assisting the Leader on Emissions Trading Design Shadow Minister for Sustainable Development and Cities</td>
<td>The Hon Andrew Robb AO MP</td>
<td>Senator the Hon Nick Minchin</td>
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<tr>
<td>Shadow Minister for Foreign Affairs (Manager of Opposition Business in the Senate)</td>
<td>Senator the Hon Helen Coonan</td>
<td>The Hon Andrew Robb AO MP</td>
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<td>Shadow Parliamentary Secretary for International Development Assistance</td>
<td>Senator Marise Payne</td>
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<tr>
<td>Shadow Minister for Finance, Competition Policy and Deregulation (Manager of Opposition Business in the House)</td>
<td>The Hon Joe Hockey MP</td>
<td>Senator the Hon George Brandis SC</td>
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<td>Shadow Minister for Competition Policy and Consumer Affairs (Deputy Manager of Opposition Business in the House)</td>
<td>Mr Luke Hartsuyker MP</td>
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<td>Shadow Minister for Energy and Resources</td>
<td>The Hon Ian Macfarlane MP</td>
<td>Senator the Hon David Johnston</td>
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<td>Shadow Parliamentary Secretary for Energy and Resources</td>
<td>Mr Don Randall MP</td>
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<td>Shadow Minister for Families, Housing,</td>
<td>The Hon Tony Abbott MP</td>
<td>Senator the Hon Nigel Scullion</td>
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<td>Mr Scott Morrison MP</td>
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<td>Shadow Parliamentary Secretary for Indigenous Affairs</td>
<td>Senator Cory Bernardi</td>
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<td>Shadow Parliamentary Secretary for Disabilities, Carers and the Vol-</td>
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<td><strong>Shadow Special Minister of State and Shadow Cabinet Secretary</strong></td>
<td>Senator the Hon Michael Ronaldson</td>
<td>Hon Christopher Pyne MP</td>
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<td>(Deputy Leader of The Nationals)</td>
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<td><strong>Shadow Minister for Human Services</strong></td>
<td>Senator the Hon Nigel Scullion</td>
<td>The Hon Tony Abbott MP</td>
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<td>Shadow Parliamentary Secretary for Water and Resources</td>
<td>The Hon Greg Hunt MP</td>
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<td>Change, Environment and Water</td>
<td>Senator Fiona Nash</td>
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<td><strong>Shadow Minister for Health and Ageing</strong></td>
<td>The Hon Peter Dutton MP</td>
<td>Senator Mathias Cormann</td>
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<td>Shadow Minister for Ageing</td>
<td>Mrs Margaret May MP</td>
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<td>Senator Mathias Cormann</td>
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<td><strong>Shadow Minister for Defence</strong></td>
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<td>Shadow Minister for Defence Science and Personnel</td>
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<td>Shadow Minister for Veterans’ Affairs</td>
<td>Mrs Louise Markus MP</td>
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<td>Shadow Parliamentary Secretary for Defence</td>
<td>The Hon Peter Lindsay MP</td>
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<td><strong>Shadow Minister for Education, Apprenticeships and Training</strong></td>
<td>The Hon Christopher Pyne MP</td>
<td>Senator the Hon Brett Mason</td>
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<td>Shadow Minister for Early Childhood Education, Childcare, Women and</td>
<td>Mrs Sophie Mirabella MP</td>
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<td>Shadow Parliamentary Secretary for Justice and Public Security</td>
<td>Mr Jason Wood MP</td>
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<td>The Hon John Cobb MP</td>
<td>Senator the Hon Richard Colbeck</td>
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<td>Senator Concetta Fierravanti-Wells</td>
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<td>Mr Steven Ciobo MP</td>
<td>Senator the Hon Michael Ronaldson</td>
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<td>Tourism and the Arts</td>
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Each box represents a portfolio. Shadow Cabinet Ministers are shown in bold type.

QUESTIONS WITHOUT NOTICE

**Economy**

Mr TURNBULL (2.05 pm)—My question is to the Prime Minister. Prime Minister, will you, prior to your departure overseas again, meet with me to discuss what bipartisan measures can be taken in response to the global financial crisis?

Mr RUDD—A good start to bipartisanship would be to unblock the budget in the Senate. Six billion dollars is not, as has been suggested by some, a bit of loose change; it is important in producing a solid budget surplus, a buffer for Australia in difficult global financial circumstances. So bipartisanship should begin in the Senate, and I would strongly suggest to the leader of the Liberal Party that he instruct his Senate colleagues to unblock these budget measures. The reason for so doing is this: in uncertain global financial times the most irresponsible thing that can be done is to add to uncertainty. If a government in its budget delivers a budget surplus of $22 billion, the worst thing you can do to global markets is to say that an irresponsible political party in the Senate is threatening to block that surplus, given that Australia stands uniquely positioned to have that buffer for the future. I would suggest that bipartisanship begins about 200 metres away, in the Senate.

**Economy**

Ms GRIERSON (2.07 pm)—My question is to the Prime Minister. Will the Prime Minister update the House on the government’s response to the current turmoil in international financial markets?

Mr RUDD—I thank the honourable member for her question. The global financial crisis is having a significant impact on the real economy worldwide, not just on global financial markets. The Australian government has a strong set of policy measures in place to see Australia through these difficult financial times. They begin with the budget surplus, to which I just referred to in my answer to the previous question, but they are also anchored in the strength of this government and this country’s national financial regulatory institutions and in the extent of the collaboration between Australian finan-
cial regulatory institutions and those which exist abroad.

Over the weekend the United States authorities proposed a significant initiative to address the financial crisis. Their plan would give the authority to the United States Treasury department to buy up to US$700 billion—that is US$700 billion—in mortgage related assets from financial institutions. The US Treasury secretary, Hank Paulson, said on Sunday:

This is not something that we wanted to do. This was something that was … necessary.

This is a significant action on the part of the United States, and it is a welcome effort to put a floor under the problem by the US authorities. The program intends to fundamentally address the root cause of the financial system stresses in the United States by removing distressed assets from the financial system. Markets thus far, based on early reports of this impending US action, have responded positively in the United States and elsewhere.

Members will also recall that on Wednesday last week the US Securities and Exchange Commission tightened restrictions on short selling. Australia followed this move on Friday by working through our regulator, ASIC, to place a temporary ban on naked short selling. On Friday night the USSEC took further action to temporarily ban all short sales of nearly 800 financial stocks. The announcement followed a similar move by financial regulators in the United Kingdom. As a consequence, and in response, ASIC announced yesterday they would impose a 30-day ban on short selling of all stocks. The government endorsed the coordinated response, which accords with similar action by the US and UK financial regulatory authorities.

While appropriately regulated and disclosed short selling has a role to play in the effective operation of markets, it is appropriate to curtail its use at a time of heightened market volatility—and that is precisely what we have at present around the world. We are acting to help prevent market manipulators from artificially driving down stock prices. We cannot afford for that to happen in a time of unprecedented global financial instability as we have seen most recently on markets. In addition, the Commonwealth government will introduce legislation to improve the long-term disclosure requirements around short selling.

As I indicated earlier to the House, Australia, while not being immune from the problems in the United States, nonetheless is better placed than most economies to weather the current storm. The Australian Prudential Regulation Authority has advised the government that Australian deposit-taking and insurance companies supervised by APRA are well capitalised, profitable, well regulated, and they are weathering the turmoil well.

The government has also been active on a range of other regulatory fronts and also through the Reserve Bank. The Reserve Bank has enhanced liquidity in the market to compensate for an increased demand for liquidity. The RBA has been expanding its money market operations during periods of particular stress, including in the overnight money markets. For example, over the past week, aggregate exchange settlement balances have lifted from $1.5 billion to close to $7 billion in the overnight money markets. This follows additional liquidity injections by the Reserve Bank into markets both in March and June of this year.

In a further measure, the RBA also widened access to its repurchase agreement facilities by enabling financial institutions to use a much wider class of assets as collateral for such agreements. Again, this is designed
to enhance liquidity. The RBA has been undertaking moves in this respect during the course of the financial crisis over the course of 2008. Furthermore, as a government we have, in partnership with the economic regulators, taken further steps to support liquidity in the government bond market to ensure our broader financial markets operate more effectively. We provided legislative authority for an increase in future Commonwealth government securities of some $25 billion, with an authorisation of $5 billion worth of further issuance in 2008-09.

In a further measure of direct relevance to households, the Financial Stability Forum, in which Australia has been active, recommended in April of this year that authorities review and, where necessary, strengthen deposit insurance arrangements. For us that has meant taking action on the financial claims scheme—a financial claims scheme which would provide better protection for consumers in any uncertainties which would lie ahead.

Internationally, Australia remains active with the Financial Stability Forum because we must act not just nationally but in absolute concert with regulators in the United States and elsewhere. That is why, through our financial authorities—APRA, ASIC, the RBA and Treasury—we have been working in all five areas of global collaboration with the FSF on strengthening prudential oversight of capital, enhancing transparency in valuation, changing the roles and uses of credit ratings, strengthening the authorities' responsiveness to risks and implementing robust arrangements for dealing with stress in the financial system.

These are practical measures which the government, together with the financial regulatory authorities in Australia, have been taking in response to this crisis. It is important to continue to stress the absolute strength of Australia’s regulators, the fact that our regulators are among the best in the world and that the government, in concert with the regulators, have been acting throughout the course of this crisis and throughout the course of 2008 in response to what is a global problem now confronting all economies.

Economy

Ms JULIE BISHOP (2.13 pm)—My question is to the Prime Minister. Is the Prime Minister aware that the recently enacted Commonwealth Securities and Investment Legislation Amendment Act 2008, which was supported by the opposition, enables the government to provide additional liquidity to the mortgage market? Why did the Prime Minister and his Treasurer ridicule any discussion of Commonwealth investment in mortgage backed securities, when only two months ago the government changed the law to make such an investment possible?

Mr RUDD—The position put forward by the Leader of the Opposition yesterday, as I understand it, was that now in other markets, particularly in the United States, the government is taking a role and proposing to buy back some of these securities. That relates specifically to the measures announced in the United States to which I referred in my answer before—an action taken by the United States Treasury to use $700 billion worth of US money to purchase bad debt from those who currently hold those mortgages on the part of US financial institutions.

Why have the US regulator and the US Treasury done that? Because, if you go to the actual state of the problem in the United States, it is that subprime mortgages began filtering their way through the real economy and across the breadth of financial institutions from August last year. Subprime mortgages, as the Deputy Leader of the Opposi-
tion would be aware, represent some 15 per cent of mortgages in the United States mortgage market. Subprime mortgages represent something like one per cent of mortgages in the Australian market. There is, therefore, a clear distinction between our set of circumstances and those of the United States. And there is a further distinction, which I draw the honourable member’s attention to as well: in the United States currently the arrears rate in terms of repayment on mortgages is something like six times that which currently exists within Australia. Again, our circumstances are significantly different. And I draw honourable members’ attention to the remarks made by others last week which sought to cast doubt on the statements by the Governor of the Reserve Bank about the state of Australia’s financial system relative to that which pertains in the United States and elsewhere.

Therefore, the point I would make to the honourable member putting her question is that this represents the distinction between our markets and those which exist in the United States. That is why the measures that we have adopted, we believe, are responsible: they follow complete and close collaboration with the advice provided to the government by the financial regulators over the course of this year—not just the injection of liquidity into the economy by the Reserve Bank but also actions in relation to other aspects of assistance to financial players within the Australian financial market.

I would say this to the Deputy Leader of the Opposition and to the Leader of the Opposition on this most sensitive question: it is far better to proceed cautiously, rationally and intelligently through this debate in Australia than it is to simply shoot from the lip with anything which happens to come to the mind of the Leader of the Opposition in a press interview. These are serious and substantial matters. The government have been acting in close and absolute concert with the advice provided by our financial regulators. For the alternative Prime Minister of the country, as he would describe himself, to stand up and say that the US$700 billion rescue package should be adopted here reflects, I think, an absence of understanding of what is occurring in the Australian financial market. I would say to him also that, in these difficult and volatile times, words amount to bullets. Therefore I would suggest to the Leader of the Opposition—and to the Liberal Party—that, rather than engaging in loose debate on these most serious matters, he becomes a constructive participant in them. The most constructive thing the Leader of the Opposition can do at the moment, apart from minding what he says publicly on these matters, is to head to the Senate and unblock the budget and deliver to the government an appropriate surplus for providing a buffer for the future—a buffer which Australia needs given the uncertainties we confront through global financial markets.

Economy

Mr CRAIG THOMSON (2.18 pm)—My question is to the Treasurer. What moves have been taken by ASIC over the weekend to ban short selling, and why is this so important?

Mr SWAN—I thank the member for Dobell for his question. The government certainly welcomes the decision of the independent regulator, ASIC, to ban short selling, because, as the Prime Minister was saying before, we are in a time of great difficulty in global financial markets. We probably have not seen a time of difficulty like this for a very long period of time. We certainly do welcome the announcements by the US government over the weekend and we certainly note the recovery in financial markets this morning. But nobody should imagine that we are out of the woods as yet. We will continue
to see global financial market volatility over the period ahead. That is why this decision from ASIC is so important.

It does remain the case that our banks are well capitalised and well regulated, and most certainly they do not face the same problems as the banks in the United States face, because they do not have the exposure to the subprime problem in this country that there is in the United States. So we are not complacent about our economic situation, and that is one of the reasons why the government has moved quickly to strengthen our financial system. We are implementing the Financial Stability Forum recommendations and encouraging their implementation internationally. Encouraging their implementation internationally is very important because what we need here is concerted global action that in the end can produce some surveillance of the international investment banks—which do go to the core of this instability in the United States and around the globe.

That is but one reason why engaging with international leadership, engaging with international policymakers, as the Prime Minister will do, is so important—because the world requires a global solution. No country is an island in these circumstances. That is why we are not immune from the fallout. What is required here is an international agreement, as well as strong domestic action—and the government has been taking strong domestic action by increasing bond issuance, such as that which was referred to before. But one thing this government will not do is take the advice of the Leader of the Opposition to invest in subprime debt. That is effectively the gaffe that the Leader of the Opposition made on Laurie Oakes's program yesterday; and he is very sensitive about it—very, very sensitive about it. It was a gaffe of epic proportions.

So we have been moving to strengthen the system, to introduce a financial claims scheme. We have also been very supportive of the decision taken by ASIC to put a ban on short selling. That is also very important to protect the integrity of our financial system. But we do need concerted international action. That is where the solution lies, globally and domestically. I just wish the opposition would put aside its petty politics and get behind constructive initiatives, globally and nationally, on this very important issue.

Economy

Ms JULIE BISHOP (2.22 pm)—My question is to the Treasurer. Why has the government had three different positions on short selling in the last three days?

Mr SWAN—I thank the member for Curtin for her question. I congratulate her on her appointment. I look forward to a constructive dialogue and debate about these matters which are so important to the economic health of the country. The parliament is the appropriate place for that. Let us just deal with short selling. Was there any legislation on short selling in 12 years from that side of the House? No.

An opposition member—There was no need for it.

Mr SWAN—There was no need for it? Okay. That is good. I will just take them through this issue. We did say earlier in the year that we would move to legislate for the disclosure of covered short selling. The government has prepared a bill in that area. But, as everybody in the world knows, financial markets melted down last week. In response to that, governments around the globe moved to change their position on short selling. They moved to change their position on short selling because of the carnage that was going on in stock markets in an environment that was so destabilising it had lost touch with the economic fundamentals of many companies.
So there was a very strong case at the end of last week for substantial action on short selling.

ASIC, the independent regulator, determined late on Friday that they would take some further action. What happened after the market closed in Australia over the weekend was that further decisions were taken by other governments internationally. A further decision was taken in the United States by the SEC. A further decision was taken in Canada, and in at least three other countries decisions were taken. So over the weekend I conferred with all of our regulators. In fact, on Friday afternoon there was a meeting of the Council of Financial Regulators. On Friday afternoon and through the weekend I conferred with our regulators on this position and I conferred with people right across the financial services sector, because the ban on short selling in various forms by all of those other countries would have exposed our market first thing on Monday morning to a wall of funding that could have really had a detrimental impact on many, many reputable Australian companies.

We on this side of the House make no apology for the decision of our independent regulator to ban short selling—a decision they announced late yesterday afternoon. It was a very important decision in the history of this country. There is a case for short selling, but there is not a case for short selling in the market environment in which we now find ourselves domestically and around the globe. We are a small market and it was simply not possible for us to remain open to short selling when every other market in the world had closed. What occurred was that the regulator met again and took an independent decision on Sunday afternoon, announced it and it has been applied from this morning. This is yet another example of our regulators being up to the mark and acting to protect our national interest. I would have thought those on that side of the House really would have understood how important this decision is and how it deserves bipartisan support.

**Budget Surplus**

**Mr RAGUSE** (2.26 pm)—My question is to the Assistant Treasurer. Will the minister outline to the House the importance of maintaining a strong budget surplus and why this is critical to Australia’s ability to withstand the global financial crisis? Are there any threats to the budget surplus?

**Mr BOWEN**—As the Prime Minister and Treasurer have said, Australia is better placed than most countries to withstand the current financial turmoil. There are a number of reasons for this—our well-respected prudential regulation system and the growth in our terms of trade being important parts. It is also very important that we keep our strong budget surplus. Countries without a strong budget surplus are more limited in their response to the current turmoil.

I am also asked about threats to the current budget surplus. The newly-minted Leader of the Opposition and the Liberals in the Senate remain the biggest threats to that surplus. The Leader of the Opposition, in his first breath in his new role, proved that he was just as economically irresponsible as his predecessor. He indicated that he will continue to block the government’s budget measures in the Senate and therefore reduce the surplus that is so important to our economic stability. He does this even though he acknowledges that the figures involved are significant. Yesterday, talking to Laurie Oakes, the Leader of the Opposition said:

… it’s a huge amount of money …

… $6 billion is a gigantic amount of money in anyone’s terms …
That is what the Leader of the Opposition said on Sunday. But on Friday he said, ‘It’s a very small amount of money.’ It was in the interview yesterday that he also said that his raid on the budget surplus was only a small amount because it was less than one per cent of the total budget. He was disagreeing with himself in the same interview. It is just like the old days, when the member for Bradfield occupied that chair. In the finest tradition of recent leaders of the opposition, he could not even agree with himself in the same interview. He threatens the budget surplus even though he recognised on Sunday that the amount of money involved is substantial—but on Friday it was small.

Not only does the Leader of the Opposition continue to threaten our savings measures in the Senate; he also continues the policy of unfunded spending—billions of dollars of unfunded spending. We know that he believes a big chunk of that unfunded spending—the reduction in the petrol excise—is bad policy. We know that he thinks it is bad public policy and yet he continues it. He is hardly what you would call a conviction politician. We knew that he disagreed with the member for Bradfield; now we know he disagrees with himself.

The Leader of the Opposition has thrown out all economic credibility. This is what he said to Laurie Oakes, trying to defend his policy:

... whether the petrol excise is 38 cents or 33 cents or 28 cents, it’s simply a question of measuring up the budgetary consequences. You lower the excise, you just reduce government revenues.

Wouldn’t Goldman Sachs be proud of the member for Wentworth! He has worked out that if you cut tax you reduce government revenue. But what he did not say is that when you cut government revenue you either cut the budget surplus or cut services. Who would have thought Malcolm Turnbull’s Liberal Party would make the Australian Greens look economically responsible!

**The SPEAKER**—Order! The minister will refer to members by their titles.

**Mr BOWEN**—The Leader of the Opposition has made economic irresponsibility the hallmark of his first week as Leader of the Opposition. The new occupant of that office is ‘Brendan Nelson lite’.

**Mr Hockey**—Mr Speaker—

**The SPEAKER**—I remind members that they should refer to members by their titles.

**Economy**

**Mr TURNBULL** (2.31 pm)—My question is to the Prime Minister. I refer the Prime Minister to the fact that the government has had three different positions on short selling in three days and that the Australian stock market had to close for one hour today to sort out the confusion created by his policy gyrations. Is the Prime Minister still sure that this is a great time to leave town?

**Mr RUDD**—Last week the Leader of the Opposition was happy to have a flick at the Governor of the Reserve Bank; this week he is having a flick at the Australian Securities and Investments Commission. At a time of global instability in financial markets, this is not a responsible course of action. I would suggest to the Leader of the Opposition that a responsible course of action at a time like this is to back our institutions rather than to engage in the politically opportunistic course of action of simply having a flick at them on the way through because there might be a cheap headline in it for him. The circumstances surrounding the response to short selling are as described in the Treasurer’s answer to the parliament just before. That is why the government acted in the way it did. I noticed very carefully what the Leader of the Opposition had to say by way of intervention before when the Treasurer was referring to
the need for legislation on short selling. His interjection was there was no need for any legislation on short selling while they were in office.

Opposition members interjecting—

The SPEAKER—Order! The Manager of Opposition Business and the Member for Sturt!

Mr RUDD—I simply draw his attention to the fact that dealing responsibly with the problem of short selling, given the volatility of markets at present, is important. That is what the government has done through the long-term legislation it has already foreshadowed. That is why ASIC took the action it did over the course of Friday and the weekend. Had it not done so in the manner in which it did, it would have left Australian financial markets grossly exposed today. That would be irresponsible. The government was not prepared to countenance that.

Infrastructure

Mr BUTLER (2.33 pm)—My question is to the Department of Infrastructure, Transport, Regional Development and Local Government. How will infrastructure investment help to sustain the Australian economy in the face of global economic uncertainty? What views have been expressed about the importance of Australia’s engagement with key global economic leaders?

Mr ALBANESE—I thank the member for Port Adelaide for his question. Indeed, infrastructure investment is central to the government’s economic priorities. That is why we put $41 billion from the surplus into long-term infrastructure investment funds. Infrastructure investment helps put downward pressure on inflation and interest rates. It addresses capacity constraints and it lifts productivity. Recent global economic events are of concern, of course, to all Australians. It is important that we monitor the situation closely and do what we can to ensure that Australia and our financial institutions are well placed to withstand global changes and global conditions. The Prime Minister’s visit to the United States this week is part of this strategy.

It is quite extraordinary that the Leader of the Opposition has maintained his criticism of this visit. It shows just how opportunistic he really is. It is also a fact that the opposition leader is defined by his inconsistency. In April he thought it was important for him to visit the United States. He had this to say: The security, the mortgages, the homes, the jobs of Australians depend in large measure on the international developments coming out of the United States of this credit crisis, so it was important for me as Shadow Treasurer to come here …

So, according to the opposition leader, it is important for him to visit and to have consultations with global economic institutions while he is shadow Treasurer, but the Prime Minister, who has got his hands on the levers of the Australian economy, is subject to criticism for having these very discussions. That opportunism is characteristic of the Leader of the Opposition. That is why, on the $6 billion black hole, it is either a big amount or a small amount. He is not sure about that, but he is sure it is a good amount for them to blow a hole through the budget. That is why he described the $41 billion infrastructure investment funds in his budget reply speech as ‘the greatest con of all’.

Mr Pyne interjecting—

Mr ALBANESE—that was the opposition leader’s statement. Today, as one of his expanded—

The SPEAKER—Order! The minister will resume his seat. There have been eight questions and eight responses. The member for Sturt has interjected through the eight responses. He is warned. I appreciate he might be excited but he will contain his excitement.
Mr ALBANESE—The member for Sturt is one of the opposition leader’s 32 members on the shadow ministry. They have 32 shadow ministers shadowing 30 ministers; two of them are shadowing each other—that is the only way that you can come up with that conclusion, but then again a few promises had to be made. I am asked about the attitude towards international consultations. The opposition leader certainly has not always been opposed to international travel. Just 10 days ago he was overseas, not meeting with global economic leaders but sitting in St Mark’s Square in Venice—

Mr Hockey—Mr Speaker, I raise a point of order. Unless the water has gone to the head of the leader of government business, I would ask you to bring him back to infrastructure. This is totally irrelevant.

The SPEAKER—Before ruling on the point of order, the Manager of Opposition Business, when he comes to the dispatch box and gets the call, should go straight to his point of order. I will listen closely to the minister. The minister will continue his response.

Mr ALBANESE—Far be it for an Albanese to criticise someone going to Italy. But then, do not be such a hypocrite that you come in here and criticise the Prime Minister for going to the United States to have discussions about global economic conditions.

Mr Hockey—Mr Speaker, on the point of order: how could this be relevant to the question that was asked about infrastructure?

The SPEAKER—The question went to comments about views of the importance of infrastructure investment. The minister will return to the question.

Mr ALBANESE—I was addressing the part of the question that went to international economic consultations and I was talking about that. But, of course, they are very sensitive over there. We know that, when it comes to consistency, the Leader of the Opposition just has not got it. What the merchant of Venice has got to understand is that, when your client is the Australian people, there is no substitute for substance. From merchant banker to merchant of Venice—that is what we have sitting in the opposition leader’s chair.

Economy

Mr TURNBULL (2.40 pm)—My question is addressed to the Prime Minister. I refer to reports that the Prime Minister will take proposals for solving the global economic crisis with him to New York. Will the Prime Minister acknowledge that the credibility of his proposals will be diminished by the confusion and delay on the Australian stock market today caused by his government’s incompetent handling of the limitations on short selling?

Mr RUDD—On the question of short selling, contrary to the dismissiveness of those opposite who do not seem to regard legislation as all that important, let alone other forms of immediate action, the circumstances are as the Treasurer outlined before. Firstly, actions were undertaken by the United States and UK regulatory authorities on short selling last week. Secondly, they were expanded in their scope at the very end of last week, requiring, therefore, further action on behalf of the Australian regulators. Failure to act on this, and failure to act on it responsibly, would have exposed Australian financial stocks and stocks in general to massive manipulation on the part of international speculative investors. We in the government were not prepared to countenance that course of action. I am surprised that those opposite seem to be so prepared.

Workplace Relations

Mrs D’ATH (2.41 pm)—My question is to the Minister for Education, the Minister for Employment and Workplace Relations,
and the Minister for Social Inclusion. How will the Australian government’s National Employment Standards and new workplace relations system benefit working women, and what obstacles are there to implementing these new standards and policies?

Ms GILLARD—I thank the member for her question. I know that she has been deeply concerned about fairness and balance in Australian workplaces, particularly the circumstances of working Australian women. As these statistics show, Work Choices has been a disaster for working women. It is beyond doubt—from information from the Australian Bureau of Statistics—that under Work Choices women did worse. The ABS data shows very clearly in its wages and earnings data series that women working full time on Australian workplace agreements took home on average $84 a week less than women working on collective agreements. And the data for women working part time and casually was even worse; the rip-offs per hour for women working casually—and many working women do because they want to combine work and family life—was even worse. A woman who was on an AWA who was working as a casual for an average amount of time could expect to earn $94 per week less than her counterpart who was on a collective agreement. The Rudd Labor government has already ended these rip-offs by ending the making of Australian workplace agreements and ensuring that all working women and working men have the benefit of a fair safety net.

Last week I announced further details of the government’s Forward with Fairness changes, and they include a set of additional protections for working women. Of course, the foundation stone of Labor’s fair and balanced industrial relations system is a safety net that cannot be stripped away. As well as the dollar rip-offs that working women faced, even after the last government’s so-called fairness test, a working woman could have stripped away from her the protections on changes of shift and changes of roster inherent in her industrial award. For example, instead of being given a few days notice that she was going to be moved to night shift—notice so that she could make new arrangements for the care of her children—a woman could have that protection stripped away and be given half an hour or an hour’s notice of a change of shift, which could have left her children without care. The government, in making sure that the safety net is there for everyone and that it cannot be stripped away, has fixed that and will make sure working women do not have that fear for the future.

The government’s National Employment Standards also include a new era of flexibility for working women—making sure that women can sequence unpaid maternity leave with the unpaid paternity leave of their partner, giving working families the option, if they choose, to have a parent at home for the first 12 months of a child’s life. Our National Employment Standards include a new era of flexibility, enabling working women to have the right to request an extended period of unpaid maternity leave and a right to request a return to work on a part-time or flexible basis if that would enable them to put together work and family life in a more cooperative way.

I am asked about obstacles to the implementation of the government’s plan. Of course, shadow ministers in this place seem to come and they seem to go, but the more things change—

Mr Albanese—Some just go!

Mr Tuckey interjecting

Ms GILLARD—Some actually just go, it is true. And very curiously some backbenchers seem to move across further and further out of sight.
Mr Tuckey—So that I can see you better!

Ms GILLARD—In all the coming and going and moving back and forth—and the member for O’Connor moving curiously along—what we know is that the more things change, the more things stay the same.

Mr Pyne—Mr Speaker, I rise on a point of order. One wonders how any of this has any relevance to the question that the member was asked. I would ask you to bring her back to the question that she was asked.

The SPEAKER—I am sure that the Deputy Prime Minister understands that she has to return to the question, which did include obstacles to the legislation.

Mr Tuckey interjecting—

The SPEAKER—I can inform the member for O’Connor that, whilst I almost need over-the-horizon radar to pick him up, I can still hear him—and he will sit there quietly. The Deputy Prime Minister.

Honourable members interjecting—

The SPEAKER—I am not commenting on the present arrangement.

Ms GILLARD—I am commenting on an obstacle to the implementation of the government’s plan. I understand that the member for Sturt may consider this obstacle to be irrelevant, but the name of this obstacle is the Liberal Party. The Liberal Party is standing in the way of the government’s plans because the announced position of the Liberal Party at the moment is that unless we bring back the Australian workplace agreements that ripped off working Australians, including working women, then the Liberal Party will not pass the government’s bills. It will prevent the government delivering Forward with Fairness.

As the chairs are reshuffled over there, and we get a new spokesperson on workplace relations, the signs are not good, because in October 2006 the new shadow spokesperson on workplace relations said this:

Work Choices is a continuation of the Howard government’s proud record on women and work. Could anybody be more out of touch? Could anybody be more delusional about what Work Choices meant for working women? This is the attitude of the Liberal Party. Shadow ministers may come or go, but the one thing that the Liberal Party stands for, will always stand for and clearly stands for under the new shadow minister is Work Choices pure and simple—with all of its rip-offs.

Economy

Mr PEARCE (2.49 pm)—My question is to the Prime Minister. Prime Minister, given that six major global financial institutions have collapsed, merged or been nationalised in the last six weeks alone, what contingency plans has the government put in place to ensure all markets in Australia remain liquid?

Mr RUDD—The Australian Council of Financial Regulators, which met with the Treasurer last Friday, continues to monitor on a regular basis the liquidity requirements and the credit requirements of the Australian economy. If the honourable member had listened to the answer I gave at the beginning of question time, he would know that I went through the various interventions undertaken by the Reserve Bank in injecting liquidity into the economy, most particularly into the overnight money markets over the course of March, June and, most recently, September. This is part of the normal operations of the financial regulators. Furthermore, when it comes to all future contingency arrangements, the regulators continue to examine all that may be necessary into the future. I would suggest that a responsible course of action on the part of those opposite would be to underpin the confidence of this House in the regulators, rather than, drip-by-drip, to
Climate Change

Mr TREVOR (2.50 pm)—My question is to be Prime Minister. Will the Prime Minister outline the importance of the government’s global carbon capture and storage initiative to the international fight against climate change?

Mr RUDD—I thank the honourable member for Flynn for his question. His electorate and the electorates of many around this House are acutely conscious of the importance of coal-fired power generation now and into the future as well as the importance of coal exports into the future. If we look at the statistics, that concern is registered loud and clear. Eighty per cent of Australia’s electricity comes from coal-fired power stations. Coal is the backbone of regional Australia in many regions—from Mackay to Muswellbrook to Moe. Coal also fires 40 per cent of the world’s power generation and will continue to do so for a long time to come. It is also Australia’s biggest export.

The practical challenge we face is how we deal with those economic realities on the one hand and the fact that 40 per cent of energy related CO2 emissions in 2005 came from coal-fired electricity generation. This brings us to carbon capture and storage. Carbon capture and storage is an important technology option for the future. It is an important practical option for the future. It is important in the overall response to climate change within Australia and internationally.

Mr Hunt interjecting—

The SPEAKER—I warn the member for Flinders!

Mr RUDD—The International Energy Agency says that improved energy efficiency and CCS—carbon capture and storage—represent the two most viable options currently available to bring down greenhouse gas emissions into the medium term. That is why the government embraces both of those courses of action.

You can see the beginnings of demonstration projects in the Otway Basin in Victoria. You can also see it at the Callide A power station in Queensland and the oxy-fuel combustion technology which is proposed to be trialled there by way of retrofitting, and you can also see post-combustion capture technology in two other power stations in Australia—one in black coal in New South Wales and the other to be based in brown coal in Victoria. On Saturday I took the opportunity to visit Santos’s operations in Moomba and for them to brief me on their proposals for a three-stage carbon capture facility—the Moomba carbon storage project. This is an exciting project. I commend the company for their active support for CCS technologies. Together with those other project possibilities around the country, we begin to see the emergence of a way forward in bringing down greenhouse gas emissions from coal-fired power stations and, more generally, from carbon based fuels in Australia.

On Friday, the Minister for Resources and Energy, Martin Ferguson, and I launched a global carbon capture and storage institute, which Australia will support. What is the proposal? It goes into two parts. Right around the world at present you see a whole range of research going on but ineffective coordination of that research and, with the four principal technologies alive with carbon capture and storage, you see very thin at-scale industrial application of these technologies. The problem we face is that time is running out. We need to make sure that these industrial scale projects get going.

The best definition of an industrial style project is something 250 megawatts or more. So many of the projects which are currently
underway around the world which go by the rubric of demonstration projects are very small indeed. We need to have them at scale not only so we can demonstrate that the technology works at scale but also so we can calculate the cost differential between a 250-megawatt station without CCS technology applied as opposed to one with CCS technology applied and then work out where that difference is to be met in the future by way of investment activity by government, corporates and others. This of course is directly relevant to the future architecture of the Carbon Pollution Reduction Scheme as well.

Why we have put forward this global carbon capture and storage institute is to assist in bringing together all this research and technology investigatory activity around the world into a single entity to the best extent possible. This is a global public good and the world needs to have a go-to place to access that technology for at-scale projects. But there is one further reason, and this is also the big gap at the moment.

Opposition members interjecting—

Mr RUDD—Those opposite find this enormously amusing. I do not find climate change at all amusing. I find it a real challenge for the future, and finding practical ways of responding to climate change is the way ahead. The second reason for a global carbon capture and storage institute is that, when it comes to identifying projects at scale, you need a clearing house around the world to point would-be investors in the direction of those projects that are most ready to go. At present that is simply not happening. We have put together this initiative in close consultation not only with the Australian coal and resource industry but also with various governments around the world, and there has been an initial expression of support from not just the British government but also other governments.

I say to those who simply catcall from opposite and say that there are problems with this: for 12 years there was a lot of time to act on this, and I have to say that across the country and across the world I do not see a whole lot of action resulting from the various speeches made by others when they occupied the treasury benches and had an opportunity to act.

Here is the challenge: the G8 meeting in Hokkaido said that by 2020 we have to have 20 at-scale CCS electricity projects around the world in order to demonstrate to the world that this technology works and at what price it will work. That is the challenge that has been established. The problem is worldwide that there is no capacity that exists at either the technology level or at the financial clearing house level to bring any such projects to fruition. That is why we have decided to provide leadership. That is why when I am in New York I will be canvassing this extensively with world leaders. That is why it will form a large part of the presentation that we make to global governments: because, for this to work, it is not just that it is an Australian initiative that counts; we need global buy-in. For this to work, we need those 20 projects not just to be designed, not just to be talked about, not just to be floated, but also to be delivered in concrete reality on the ground. That is what this institute is about. I would suggest to the sceptics opposite: get behind it and be bipartisan instead of than just talking about bipartisanship as some cute, political ploy.

Economy

Mr HOCKEY (2.58 pm)—My question is to the Prime Minister. I refer the Prime Minister to his commentary that there will be ‘an impact on government revenues as a result of the global financial crisis’. Is the Prime Minister’s assessment based on lower economic growth or fewer jobs?
Mr RUDD—If the honourable member were to look at the government’s budget forecasts he would see that, in terms of the rate of economic growth for the period ahead, we have obviously projected a softening of growth consistent with the softening of growth across the global economy. Secondly, what follows from that is that public revenue also softens. One follows from the other. I would have thought that the honourable member would understand that.

Climate Change

Ms LIVERMORE (2.59 pm)—My question is to the Minister for Resources and Energy and Minister for Tourism. Minister, why is carbon capture and storage vital to Australia’s clean energy future?

Mr MARTIN FERGUSON—I thank the member for Capricornia for this question. As a representative of a key regional seat with a significant number of people employed in the coal industry, she—unlike many on the other side—understands the importance of the Prime Minister’s announcement of last Friday. The Global Carbon Capture and Storage Initiative correctly gives us an opportunity internationally to cooperate with the business community and also like-minded countries to finally make significant progress on something of fundamental importance not only to Australia’s economic and environmental future but also to the global community.

Australia is an energy superpower. It is therefore our responsibility to show leadership in trying to put together something about abatement while also securing our economic future. I understand on the other side of the House there are some people who doubt the importance of this technology. I want to remind the House that 80 per cent of Australia’s electricity comes from coal fired power stations. I want to also remind the House, in terms of our economic prosperity, that it is estimated that coal exports from Australia in this financial year will earn us as a nation $43 billion. For Australia, in terms of security of energy, reducing carbon emissions is therefore exceptionally important, not only from the point of view of the coal industry—I remind the House that the export of LNG is also exceptionally important, and getting storage correct is of fundamental importance, for such key projects as Gorgon. This presents Australia with an opportunity to secure our own economic future and also an obligation for Australia to exercise leadership on this front, because we are at the forefront. We have not only a requirement to solve our own environmental problems but also an opportunity to potentially engage in technological solutions of importance to the whole global community.

I am pleased to say that at last Friday’s discussions there was key support not only from business, representatives of state and territory governments, and the generators but also from key sectors of the environmental movement and the labour movement, represented by the CFMEU and the AWU.

Mr Hunt interjecting—

The SPEAKER—Order! I will remind the member for Flinders of his status only once.

Mr MARTIN FERGUSON—They understand the importance of Australia making progress, of doing something about guaranteeing that our National Low Emissions Coal Council is able to accelerate the demonstration and deployment of these technological activities and of having in place a carbon storage task force which enables the development of storage, mapping and infrastructure plans in the immediate future. They also welcome the government’s achievement in the House of Representatives last week of potentially world-first legislation covering
carbon dioxide storage in Australia’s offshore areas.

I simply say in conclusion that Australia and the broader community understand the challenges that confront us in the demand to reduce carbon emissions in the global community. I look forward to working with my state and territory counterparts, representatives of business, NGOs who are prepared to front up to hard decisions and the labour movement to make this a reality. This is about investing in our future and our economic prosperity while also assisting the world in guaranteeing high levels of economic growth while reducing carbon dioxide emissions.

**Age Pension**

**Mr Turnbull (3.03 pm)**—My question is addressed to the Prime Minister. Why is the government spending $40 million to win a temporary seat on the UN Security Council yet rejecting the much-needed $30 a week increase in the single age pension?

**Mr Rudd**—As of three months ago, the Leader of the Opposition said he had no policy to increase the pension at all. I would suggest to the Leader of the Opposition that consistency is a good thing in politics; I would suggest to the Leader of the Opposition that, in the 12 years they had in office to act on the age pension in any fundamental way, they failed to do so. Secondly, in the course of the last budget we virtually doubled the additional increase to pensioners as a consequence of our increase to the utilities allowance, and we have of course in process the review, which those opposite supported, coming out of the Senate inquiry. I would suggest that, when he sat in the cabinet together with many of those on the current front bench—and perhaps those currently on the back bench as well, including the member for Higgins—if their passion had been so deep to act on the age pension 12 months ago, they could have done so. They failed to do so, and the opportunism in their current politics on this is there, clear-cut, for all to see.

**Aged Care: Indigenous Australians**

**Ms Jackson (3.04 pm)**—My question is to the Minister for Ageing. What is the government response to community concerns about the quality of aged care for Indigenous communities?

**Mrs Elliot**—I thank the member for Hasluck for her question. Earlier today the Australian government detailed a plan to improve aged care for remote Indigenous communities. It includes, for the first time, a set of standards applied to these unique aged-care services in remote communities. In addition, we are providing a $46.2 million program for staff, locum relief and emergency capital works on facilities. Nationally, there are 30 Indigenous specialist aged care services providing about 700 places. It is time that the Australian government started to improve the care for frail and aged Indigenous Australians. When it comes to life expectancy, there is a 17-year gap between Indigenous and non-Indigenous people, and the Rudd government is committed to closing the gap within a generation by taking practical steps to improve the health status and social and economic wellbeing of Indigenous Australians. This plan is about providing proper care for older Indigenous people while still being respectful to their cultural needs. We will consult with and take the advice of Indigenous communities and the Indigenous aged care sector.

I would also like to make a few comments about the tragic death of Dulcie Brumby, which occurred on 14 June 2007 at Docker River, which is 670 kilometres by road south-west of Alice Springs. This was an appalling tragedy. Dulcie Brumby was 70 years old and in an Indigenous aged care
service. That night she was unsupervised and fell into an open pit fire. She subsequently died at Alice Springs Hospital. Her death has been the subject of a report by Northern Territory Deputy Coroner Dr Celia Kemp.

On behalf of the Australian government, I extend our condolences to the family of Dulcie Brumby. This afternoon, I asked the independent Aged Care Commissioner, Ms Rhonda Parker, to personally conduct an assessment of the Department of Health and Ageing’s handling of the Docker River aged-care death. It is imperative that we act to improve aged-care services for older Indigenous Australians, and that is what the government has outlined today.

Veterans

Mrs MARKUS (3.07 pm)—My question is to the Minister for Veterans’ Affairs. Why won’t the minister support the coalition’s proposal to increase the single war veterans’ entitlements by $30 a week?

Mr GRIFFIN—I thank the member for her question. This is the most recent policy, I take it? This is today’s policy; it is not last week’s policy? I note the previous opposition leader is not in the chamber, but he was quite clearly on the record—

Opposition members interjecting—

Mr GRIFFIN—I apologise. He is moving around. Maybe it is a comeback. The Leader of the Opposition at the time the original stunt was announced made it clear that veterans were not included.

Mr Baldwin interjecting—

Mr GRIFFIN—It was because this side of the House raised the issue that they had excluded thousands and thousands of veterans, amongst a whole range of other people. That is why there has been some change. But when was the change?

Mr Baldwin interjecting—

The SPEAKER—The member for Paterson is warned!

Mr GRIFFIN—It was snuck into the Senate as a late change—an amendment to a notice of motion. Even then, when you go to the question of what was included in the wording, there is an argument that some veterans have been excluded.

Opposition members interjecting—

Mr GRIFFIN—Have a look at the partner service pension. Have a look at your wording there. You have missed out a few there as well, not to mention veterans with disabilities in some cases.

Mrs Markus—Mr Speaker, I rise on a point of order. Will you or won’t you agree to the $30 rise?

The SPEAKER—Order! The member for Greenway will resume her seat.

Mr GRIFFIN—Let us not forget that, once again, after a decade of inaction, they have finally discovered some policy.

Mr Baldwin interjecting—

The SPEAKER—The member for Paterson will leave the chamber for one hour.

The member for Paterson then left the chamber.

Mr GRIFFIN—Finally, after a decade, we find that they have some policy. We all know that the opposition only discovered veterans affairs in the last year before the election. Let us have a look at what has occurred since the election. Here are just a few examples. This government, when in opposition, committed to an inquiry into the deseal-reseal issue.

Opposition members interjecting—

Mr GRIFFIN—Your government refused to back it until you became the opposition, and then the shadow minister endorsed it. She said, ‘We support this inquiry.’ Of
course, when you were in government it was ‘no’.

Mr Hockey—Mr Speaker, I rise on a point of order. It is a really simple question about why the minister will not support the coalition’s proposal to increase the single war veterans’ entitlements by $30 a week.

The SPEAKER—The minister is responding to the question. He will bring his question to a conclusion.

Mr Griffin—I will bring my answer to a conclusion, Mr Speaker. The point with respect to this is that, once again, it is a simple question. But the real answer is what you did not do. The fact is that you never took action when you could have and you have now ended up in a situation of trying to reduce the concerns of pensioners in this society to a stunt.

The SPEAKER—I remind the minister to address his remarks through the chair.

Age Pension

Mr Melham (3.12 pm)—My question is to the Minister for Families, Housing, Community Services and Indigenous Affairs. Will the minister update the House on the government’s commitment to fixing the pension system for the long term, including for carers and people with a disability? What are the consequences of any proposed alternatives?

Ms Macklin—I thank the member for Banks for his question and for his real concern for Australia’s pensioners, unlike the politics that we are seeing from those opposite. When those opposite actually had the power to do something about pensions, what did this Leader of the Opposition do in cabinet? He voted no. What did the Deputy Leader of the Opposition do when she was in cabinet? She voted no. That is what they did when they were in government. What this government is doing is actually delivering to pensioners.

Let me inform the House that this fortnight pensioners are going to receive $128—the third quarterly instalment of the increased utilities allowance. This fortnight, age pensioners, widow pensioners, carers and disability support pensioners will all receive $128. It was the decision of this government to increase the utilities allowance. Under the previous government, the utilities allowance was only $107. Under this government, the utilities allowance is $500. This fortnight, the government is delivering $128—the next quarterly instalment of this very important utilities allowance. This, of course, enables pensioners to pay the bills that are always increasing. It was up to this government to extend the utilities allowance to those on the carer payment and the disability support pension. In their last year in government, those opposite refused to give an increase in the pension to anybody and also refused to extend the utilities allowance to people on carer payment and the disability support pension. This government has delivered to those people.

We know that this is becoming a bit of a pattern with those opposite, playing politics as they are over in the Senate right now. They have also decided to exclude carers and those on the disability support pension in this latest political game that they are playing in the Senate, even though it is the case that single age pensioners, people who are single and dependent on the carer payment and people who are single and dependent on the disability support pension—and I am glad the Leader of the Opposition is listening—are all being paid exactly the same pension rate. They are all dependent on the same pension rate. But of course, in the effort to play politics by those opposite, they have completely ignored those carers who are doing it tough and those people on the disabil-
I just want to make sure that the Leader of the Opposition understands this by reading from a letter that a woman from Gippsland, Jean Tops, has written to all senators. She says: ‘We are alarmed at the suggestions being made by the Liberal Party that only single age pensioners should be thrown a lifeline of $30 a week. We are alarmed,’ she says, ‘that they are considering putting this proposal to the Senate for approval next week when there are millions of single pension persons who will miss out if such a proposal were to be adopted.’ She goes on to say: ‘Is it so difficult to understand that single primary carers on pension payments are in the same boat as single age pensioners? Is it so difficult to understand that single disability support pensioners are in the same boat as single age pensioners?’ All of these people are being completely ignored by those opposite.

Of course, those opposite do not understand this. It was just a quick political fix, a bit of a game that they tried to play in the Senate, a game on the part of the Liberal and National parties. Because they have tried to do this so quickly, rushing it into the Senate to try and save the skin of the previous Leader of the Opposition—well, that didn’t work—in yet another complication, they forgot to index this little measure that they have put into the Senate today. In their rush to score political points, there was no indexation for this measure.

There is another complication—which of course they are not the faintest bit concerned about—that many people who have written to our pension inquiry are certainly concerned about. Many of them are pleading with us to not just increase the base rate of the pension, because if that happens they will see a lot of the increase in the pension go in increased rents. One of the submissions has actually come from the member for Flinders. He has passed on a submission from one of his constituents, who says, ‘If the pension alone is increased to cover all the cost-of-living expenses, landlords will be able to raise rents accordingly.’ Many, many people who are in the public housing system know exactly that. They know that—as does the member for Warringah, of course. Where is the member for Warringah? He seems to have disappeared. We knew he was bored with his job, but we did not know he was so bored as to not turn up today.

Reforming the pension system is a very complicated task. It is not something that should just be handled as some sort of political plaything by one opposition leader after another. This government intends to get this right. In the meantime, this fortnight, we are delivering an increase of $128 in the utilities allowance to make sure that pensioners have got increased money in their pockets to help pay their bills.

Mr Haase—Mr Speaker, would you ask the minister to table the piece of correspondence that she was extensively quoting from that asserted some criticism in relation to the proposition of the Liberal Party to increase the pension but said nothing about—

The SPEAKER—Order! The member will resume his seat. Was the minister quoting from a document? Was the document confidential?

Ms Macklin interjecting—

Mr Tuckey—Mr Speaker, I raise a point of order. If the minister names the author and reads from the letter, how is it marked confidential?

The SPEAKER—Order! We have dealt with the matter as has been the practice of the House for quite some time.
Economy

Mrs MAY (3.20 pm)—My—

Opposition members interjecting—

The SPEAKER—Order! The member for McPherson has the call, and those behind her are denying her the call.

Mrs MAY—My question is to the Prime Minister. Has the Prime Minister requested or received advice on how many Australians have delayed or will delay their retirement as a result of the fall in superannuation and investment value resulting from the global financial crisis?

Mr RUDD—It follows from the global financial crisis that stock markets around the world have gone down. If you look at what has happened on the US stock exchange, the S&P, over the last 12 months, there has been virtually a 20 per cent reduction that has been reflected in various stock markets around the world. Obviously the impact of that flows through to those whose superannuation investments are in equities markets. That is one of the reasons why the government are determined, firstly, to prosecute a policy of responsible economic management and, secondly, to ensure that we, through our coordinated action with the Australian financial regulators—APRA, the Reserve Bank and ASIC—are responding appropriately to the financial crisis. Thirdly, we are doing so in concert with the international regulators. That is the best way—the best way by far—that we can look to the return of stability to global financial markets. On the question of the advice to which the honourable member refers, I am unaware of any such advice being requested. What is occurring on this matter in terms of other ministers and across the bureaucracy is of course a matter for them.

Climate Change

Mr MARLES (3.22 pm)—My question is for the Minister for Agriculture, Fisheries and Forestry. Would the minister please update the House on the attitudes of primary producers in adapting to climate change?

Mr DUTTON—He doesn’t read his correspondence—how would he know?

Mr BURKE—Given that 13 of those letters arrived on the day the question was asked, you probably should interject with something different next time.

Honourable members interjecting—

The SPEAKER—Order! The minister will ignore the interjections, and the interjections will cease.

Mr BURKE—The National Farmers Federation have described climate change as possibly the biggest risk facing Australian farmers in the coming century. I would like to report to the House on some ABS figures which have been released recently, which show that about half of Australia’s agricultural businesses have changed their management practices in response to climate change. These figures do vary across the country and across agricultural industries, with stronger results in the south of the country, obviously, than in the north. In the Goulburn-Broken Natural Resource Management region in Victoria, 78 per cent of agricultural businesses have changed their farming practices to deal with climate change. In the north Tasmania NRM region, the figure is 80 per cent. In the Northern Agricultural Region in Western Australia, the result is quite high, at 83 per cent. The Rudd government has also tripled the Climate Change Research Program from $15 million to $46.2 million. Those expressions of interest closed a couple of weeks ago and I am pleased to report to the House that we have received more than 200 expressions of interest from Australia’s leading bodies doing research into carbon pollution, better soil management and adaptation to a changing climate.
Farmers have been recognising the need to adapt their practices to deal with climate change and have been aware of the connection between emissions, human behaviour and climate change itself. In fact, this is the very dispatch box where the then Prime Minister, 18 months ago, said:

…I do believe there is a connection between climate change and emissions. I do not really think the jury is out on that.

That is why I was surprised to read a comment from a primary producer—or a former primary producer—that was published in the Canowindra News, where the article begins:

Member for Calare, John Cobb, says he is prepared to out himself as a climate change sceptic to bring a “voice of reason” to the debate about Australia’s response to global warming.

Mr Cobb, who has previously served as the nation’s assistant environment minister, yesterday questioned the impact human activity has had on rising temperatures, sea levels and the ongoing drought.

While Australia’s farmers and primary producers have been moving in one direction, in the last couple of days the opposition has decided to move in the opposite direction, by taking a climate change sceptic and saying, ‘Yes—that is the person who ought to be in charge of the agriculture portfolio for the opposition.’ The Leader of the Opposition has chosen to drag the climate change debate backward from where Mr Howard left it. In government, we know, the Leader of the Opposition was frustrated at the handling of the climate change debate. If you look at today’s announcement, you discover that the reason he was frustrated was that the previous Prime Minister was taking climate change too seriously for his liking.

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

**DOCUMENTS**

Mr ALBANESE (Grayndler—Leader of the House) (3.26 pm)—Documents are presented as listed in the schedule circulated to honourable members earlier today. Details of the documents will be recorded in the Votes and Proceedings.

**MINISTERIAL STATEMENTS**

**Economy**

Mr SWAN (Lilley—Treasurer) (3.26 pm)—by leave—As honourable members know, the last two weeks have been a turbulent period on global financial markets, to say the very least. There is no question this is a difficult time for the world economy. And it would be wrong of us, as a nation, to pretend we are completely immune. It is true that there is much here that is beyond the control of the Australian government. This is something we have been upfront about, throughout this global economic turbulence. But despite all the substantial difficulties in the US and elsewhere, we do have cause for confidence, and there are things which we can do. We are acting decisively in those areas where our actions can really count. I remind the House that if you had to pick a country that you would live in, in these uncertain times, you would choose Australia. That is an important piece of perspective that we should never lose sight of. In response to the international developments of recent weeks and months, there has been decisive and significant policy action taken, here and abroad. So it is appropriate that I again outline to the House and to the people of Australia the nature of the decisions, the environment in which they have been made, and the reasons behind them.

**Recent global developments**

A little over a year ago, global financial markets began a fundamental repricing of risk. Few commentators or market actors foresaw the turmoil this would inflict on
global financial markets in the period since then. Developments have been dramatic: we have seen three of the top five US investment banks cease to exist as stand-alone entities. Global stock markets have wiped off more than 25 per cent of their value. And some markets that had become the mainstay of the financial system have simply ceased to operate. Rather than see a steady recovery in global markets, this last week has been the most turbulent in almost anyone’s living memory. Turmoil in financial markets intensified with disruptions in the US financial system reverberating in markets around the world. In the last week alone, Lehman Brothers filed for bankruptcy. Bank of America agreed to take over Merrill Lynch. The US government bailed out the insurer AIG with an $US85 billion loan in return for an almost 80 per cent equity interest in that company. And in the UK, Lloyds TSB agreed to the merger with HBOS.

Towards the end of last week we did see a recovery in global markets—that is true. This came as a result of news that the US government is developing a comprehensive package to buy up bad debt from financial institutions, to unfreeze credit markets that have ceased to function because financial institutions no longer trust each other to pay back loans. I am pleased to inform the House that this recovery has continued in the Australian market this morning, reflecting positive international developments and moves to restrict short selling in the Australian market.

**US government response**

Moves taken by US officials over the weekend were just some of the dramatic but welcome policy interventions that have been enacted. To date, the US government has taken a number of very difficult decisions to restore confidence in US financial markets and limit the impacts that are flowing through to the rest of the world. For example, the US authorities have taken steps to support Fannie Mae and Freddie Mac. They provided a line of credit to AIG—the world’s largest insurer. And on Friday they announced the establishment of a temporary guarantee program for the US money market mutual fund industry. These have all been welcome steps. But, as the US Treasury Secretary, Hank Paulson, has said, a more fundamental and comprehensive approach is needed to address the root causes of the problems facing the US financial system.

The US government’s announcement—that it is developing a comprehensive package to address the underlying problems in the US financial system—is one that the Rudd government strongly welcomes. The tarnished assets in the US financial system continue to inhibit a recovery in both US financial markets and around the world. And until they are fully disclosed and dealt with they will continue to contribute to volatility in global financial markets.

The US government’s proposed comprehensive package envisages the US Treasury buying up to US$700 billion in infected mortgage-related assets from US financial institutions. This is an enormous package. Consider this: it amounts to over US$2,000 for every man, woman and child in the United States—a very substantial package. And the size of the proposed package brings into sharp focus the size of the problems facing the financial system in the United States. However, while we welcome the US intervention, it is very important to draw a clear distinction between the US banking system and the Australian banking system, which is not infected with this type of bad debt that has necessitated the US bailout.

**Economic impact**

While the US government’s announcement is welcome, as is the rebound in global markets towards the end of last week, we
should not imagine that all will now be calm in the international financial system. Financial crises are unpredictable, and there will undoubtedly be further unpleasant surprises and further volatility over the period ahead as the remaining losses are worked through the system. We will also continue to see the fallout of these developments on confidence and economic growth right around the world.

Consumer confidence across the OECD economies is around its lowest level in almost 30 years. The world’s major developed economies are struggling to grow—five of the world’s seven largest developed economies recorded zero or negative growth in the three months to June this year. Growth is also slowing in Australia—not surprising, with global financial turbulence, together with 10 consecutive rate rises under our predecessors. That is hitting our economy.

Inevitably, also, these global developments have hit the investments and superannuation savings of many Australians. We understand that this is creating considerable anxiety in our community, particularly for retirees reliant on super as their primary source of income. But it is important again that we counterbalance these difficulties against what remains a good economic performance by Australia. The June quarter national accounts show our economy still recording solid growth. Our superannuation system is strong and its investments well diversified. And our banks are well capitalised and well regulated and do not face the myriad of problems being faced in the US—a point I will return to later on.

Meeting global challenges

We have always been upfront about the global challenges we face and their impacts here in Australia. Because so many of these global difficulties are beyond Australia’s control, we have consistently focused on those things we can actually influence. We are acting decisively in those areas where our actions can really count.

In the lead-up to the budget both the Prime Minister and I had been taking careful soundings on the international economic climate. We were acutely aware of the difficult global environment we faced, and the importance of getting the balance right in the budget:

- The importance of delivering a strong surplus to help fight inflation and buffer us against these global factors outside of our control.
- The importance of laying the foundation for a new era of investment in Australia’s critical infrastructure needs for the future.
- And the importance of delivering tax cuts to working families who are being hit by higher interest rates and higher global oil and food prices.

Many people told us not to deliver those tax cuts in the budget, but there are not too many people saying that today. It shows our budget settings were well judged in the light of unfolding global and domestic circumstances. Our understanding of these challenges from day one is also why the Prime Minister and I continued to be in close and constant contact with our regulators. Those regulators are closely monitoring events in the United States and elsewhere and remain in close contact with their international counterparts. The Prime Minister and I have also kept in regular contact with our counterparts around the world, including, and most particularly, those in the United States.

This has been critical in understanding these global developments and preparing for their impacts here. It has also been critical to our playing our part in the global solution to this crisis, as policy makers agree to the most appropriate response around the globe. We
will continue to work with our international counterparts bilaterally and through institutions such as the International Monetary Fund and the Financial Stability Forum. This is also why it is so important that the Prime Minister meets with other world leaders and the US government. Over 100 world leaders will be at the United Nations this week and the global economic crisis will be foremost on their minds. At this time of global economic uncertainty, Australia’s Prime Minister must be there as well.

To be absent at such a time would be leaving Australia out in the cold, while other world leaders are working their way through this turmoil. It is also important that we engage with the international financial community to reinforce the strength of the Australian economy and the strength of our financial system. That is why the Prime Minister will be meeting with global financial market representatives and US policy makers in New York. It is also why I will be attending the IMF annual meetings in a little over two weeks—to work with my international counterparts on solutions to the underlying causes and to highlight the significant strengths of the Australian economy and financial system.

**Why Australia is Different**

It is worth taking some time to understand the roots of the current subprime crisis. It is now clear that, for most of this decade, the US has experienced a toxic cocktail of seriously eroded lending standards in their financial institutions and an extended period of ultralow interest rates. This serious erosion of lending standards meant that loans were extended to many subprime borrowers who unfortunately had little realistic chance of repaying them. This, in combination with ultralow interest rates, led to serious overinvestment in the US housing market, as many people borrowed at the prevailing ultralow interest rates to build houses. It is this over-investment, along with the default of many subprime mortgages, that is driving the current downturn in the US housing market, contributing to falling US house prices and contributing also to the credit crisis that has its epicentre in the US financial system. At the core of this problem, as US Treasury Secretary, Hank Paulson, has said, has been irresponsible lending and irresponsible borrowing.

Many executives in financial institutions have made a lot of money out of all these activities and have walked away with big packages, while the taxpayer has been left to foot the bill. It is important to describe the situation in the US, because it brings into sharp focus just how different the situation is facing Australia. As I said earlier, our banks are well capitalised and well regulated and they do not face the nature and depth of the problems of their US counterparts. Australia’s four largest banks are among only 12 of the world’s top 100 banks with a credit rating of AA or above.

In Australia, subprime mortgages account for only one per cent of the mortgage market compared with around 15 per cent in the United States. Our default rates are nowhere near those being experienced in the United States. Australia did not have a dotcom stock market bust in 2000, we did not have ultralow interest rates earlier this decade, and we did not have a serious erosion of lending standards in our financial institutions. Whilst we are not immune from the current global difficulties, as I have said many times before, we are better placed than most countries to weather the storm.

We find ourselves in a very good position. The government has built a strong surplus to buffer against global turmoil and provide a foundation for responsible investment in the future. Prices of our key commodity exports
remain around generational highs, and businesses are investing in the future with confidence, with over $100 billion of planned investment in 2008-09.

Government response

These are all reasons for optimism, but we are not overconfident and we are certainly not complacent. The Prime Minister and I have engaged all year in a series of moves to bolster our defences—already strong—in the face of international turbulence:

• We are implementing the Financial Stability Forum recommendations in full and encouraging their implementation internationally.
• We have taken steps to support liquidity in the government bond market to ensure our broader financial markets operate more effectively.
• We are strengthening protections for deposit holders through the introduction of the Financial Claims Scheme.
• We are creating a single national regulation of consumer credit, including mortgages, to ensure that the kind of problems being faced in US with poor lending practices do not occur here.
• The government also announced in March that it would be legislating to improve disclosure of covered short selling.

Short Selling

Let me now outline the further developments on short selling on Friday and over the weekend to further protect Australia from international turbulence. For the benefit of Australians who are not fluent in the language of the financial markets, short selling can be simply described as selling shares the seller does not themselves own, normally borrowed or loaned from someone else, on the likelihood that the share price will fall. When the seller has to return the borrowed shares, they go off and buy more at the new, hopefully lower, price, return these to the original lender and, of course, pocket the difference. While appropriately regulated and disclosed short selling has a role to play in the effective operation of the market as it can assist with true share price discovery for example, it is appropriate to curtail its use at a time of heightened market volatility. Some of these practices are, frankly, big investors manipulating the current circumstances to make money out of other people’s misfortune.

So, in light of developments in global markets in recent weeks and over the weekend, ASIC and the ASX have taken coordinated action on short selling. These are important steps to ensure the integrity of the operation of our financial markets at this time and the government welcomes them. On Friday, ASIC and the ASX announced measures to ban all ‘naked’ short sales effective this morning, limit the number of allowable ‘covered’ short sales, and increase disclosure requirements for these allowable covered short sales. Following further consultation with its counterparts overseas and participants in the financial markets, ASIC has also announced an interim ban on all short selling. The government endorses this coordinated response which accords with similar action taken by the US, the UK and other major jurisdictions. This action shows that our regulatory system is working well in responding to challenging global circumstances.

There have been reports of short selling being used to try to manipulate the market, in particular with regard to financial stocks. Market manipulation of this sort simply cannot be tolerated. Australia has a world-class regulatory system and this action will help ensure ongoing confidence in the operation of Australia’s financial markets. The government and the regulators continue to moni-
tor this situation closely and will not hesitate to take further action should it be warranted.

Conclusion

I finish by reminding Australians again that we have much to be optimistic about. Our situation is fundamentally different to that being experienced by most other developed countries. This does not mean that we have not felt the impact of these global forces—we most certainly have—but Australia is well placed to weather the impacts of this global financial crisis. As our regulators have said:

Australian deposit-taking and insurance companies supervised by APRA are well-capitalised, profitable and well-regulated and are weathering the turmoil well. Australian depositors can be confident in the soundness of Australian financial institutions.

We do take heart from this assessment, and the government will continue to do whatever it can to help shield the Australian community from the impact of these global forces.

I ask leave of the House to move a motion to enable the Deputy Leader of the Opposition to speak for a period not exceeding 18 minutes.

Leave granted.

Mr SWAN—I move:

That so much of the standing and sessional orders be suspended as would prevent Ms J. Bishop speaking for a period not exceeding eighteen minutes.

Question agreed to.

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (3.45 pm)—The Prime Minister said today that the most important thing for political leaders is to not add to uncertainty. The opposition agrees wholeheartedly with the Prime Minister but we urge him and his government to practise what he is now preaching. There is great uncertainty about the ramifications of the global financial crisis and the extent of impacts on the Australian economy. There is uncertainty about job security, interest rates and other factors of critical concern to Australians. It is important at times like this for the government to do all it can to maintain confidence in the state of the economy and to remain committed to sound economic policies.

The Rudd Labor government inherited an economy that was strong, resilient and flexible. Extensive economic, employment, tax and welfare reforms undertaken by the coalition government played a key role in those strong fundamentals. In addition to strong fiscal management, the coalition adopted independent monetary policy and a sound financial system with the creation of the Australian Prudential Regulation Authority and the Australian Securities and Investments Commission. These reforms and strong management of the economy mean Australia is quite different from other OECD countries. Our financial sector is well capitalised and profitable and is well placed to withstand the pressure of the crisis. The Labor government inherited fiscal surpluses of $110 billion over five years. It inherited net assets of $45 billion. It inherited a 30-year low in unemployment. This is a far cry from the economy handed over by the Keating government in 1996. Then, the budget was $10 billion in deficit. There was net government debt of $96 billion. The previous Labor government had presided over high unemployment, record high interest rates and high inflation. The coalition repaid Labor’s $96 billion debt, brought the budget back into surplus and, after 11½ years of reform, we left the lowest rate of unemployment in 35 years. Inflation and interest rates remained at historically low levels, and the highest interest rate under the coalition was always lower than the lowest interest rate at any time under the previous Labor government.
So the coalition’s legacy has been sustained growth, increased employment, decreased unemployment including long-term unemployment, and rising living standards. This was achieved despite significant turmoil from the Asian financial meltdown, the crash of the technology shares, the September 11 terrorist attacks and the war on terror. But confidence was maintained in Australia throughout these times of great uncertainty and crisis because Treasurer Costello and Prime Minister Howard reassured the Australian people that our economy was sound and that we were well placed to withstand these external shocks. The Labor Prime Minister and the Treasurer were clearly intimidated by the outstanding record of economic management they inherited, and they immediately embarked upon a regrettable course of action. In their mad rush to trash the coalition’s economic record, the Treasurer and the Prime Minister declared that inflation was out of control. The Treasurer’s now infamous declaration that the inflation genie was out of the bottle, on the day before a meeting of the Reserve Bank, was reckless, and it was followed by the Prime Minister’s hysterical claim that the inflation monster was ravaging the economy. This had a major impact on business and consumer confidence at precisely the wrong time of the economic cycle.

Since the Rudd Labor government came to office, business and consumer confidence has plummeted to lows not seen since the previous Labor government in the early 1990s. There has been such a succession of worsening indicators since early this year that it would in fact be impossible in the time available for me to summarise them. The government must accept responsibility for this collapse of confidence and the deteriorating state of the economy. Both its rhetoric and its policies have contributed to the problem. A key idea in economics is that people in households and businesses make decisions based on their expectations about the future. Their expectations influence their decisions, their decisions influence economic activity, prices and other economic variables, and economic conditions and the particular circumstances of business and households influence expectations. Labor’s panicky and negative rhetoric undoubtedly undermined confidence in business and households. The Treasurer and the Prime Minister must accept that their actions have directly contributed to the economic slowdown in Australia.

The events of the last week have been extraordinary. Lehman Brothers has collapsed and filed for bankruptcy, Merrill Lynch has merged with the Bank of America, the United States government has nationalised the giant insurer AIG, Morgan Stanley has considered combining with a commercial bank and, in the middle of what has been called the largest shock to the financial system since the Great Depression, funding pressures have become enormous and even money market funds, which are usually considered safe, have incurred losses. Risk aversion has surged, and investors have sought the safety of short-term Treasury debt, driving yields to their lowest level since the early stages of World War II. The severity of funding pressures has been most apparent in money markets, where already higher spreads between interbank lending rates and expected official interest rates have surged. In the United States the pressure has been most pronounced. Three-month interbank rates are now about 130 basis points above the expected federal funds rate, exceeding the earlier record peaks seen during the credit crunch late last year.

Instead of lowering official rates, central banks have tried to separate their monetary and liquidity policies, preferring to provide into the global banking system a massive amount of cash. This has been accomplished primarily by the Federal Reserve increasing...
its US dollar swap lines with the European Central Bank and the Swiss National Bank as well as establishing new lines with the Bank of Canada, the Bank of England and the Bank of Japan. In total these new and expanded swap lines now mean that central banks—mainly in Europe, where demand is greatest—can provide roughly US$290 million in short-term funding to banks.

Last Saturday, 20 September, US Treasury Secretary Hank Paulson released details of a plan to ask congress for $700 billion to buy distressed assets from US financial institutions. The proposal would give the Treasury Secretary significant leeway and flexibility in buying, selling and holding residential or commercial mortgages as well as any securities, obligations or other instruments that are based on or related to such mortgages. Among the things the US government is asking for is the authority to hire asset managers to oversee the buying of assets. With an election looming, it is unclear how much time it will take to secure congressional approval. It could also take some time to set up the fund and start buying assets. This suggests that in the short term the brunt of the government’s support to the banking system will continue to be borne by the US Federal Reserve’s liquidity policy and, depending on the fallout for the real economy, its monetary policy decisions.

For Australia, the global credit crunch saw the non-bank sector run into difficulties last year and early this year when they were no longer able to buy money cheaply in the United States to on-lend for mortgages that they would then securitise to sell to investors. Our banks have taken up the slack, although they could not keep growing their loan books at the frantic pace of last year, given higher funding costs and an inability to free up their balance sheet by securitising and onselling existing loans.

The increase in funding costs has been significant, with banks finding it more expensive to raise finance both at home and abroad. Deposit rates have increased over the past year, while money market rates remain well above the expected cash rate. Internationally, our banks have been able to issue a substantial amount of debt during the crunch, albeit at a more expensive rate. These higher funding costs have been passed on to borrowers, resulting in wider margins between lending rates and the cash rate over the past 12 months, thereby contributing to the reduction in lending seen so far this year. Funding costs have come down slightly, and the Reserve Bank’s recent decision to lower rates has provided some relief, even though the Reserve Bank now expects inflation to reach five per cent by December.

Last week’s events have worked to reverse the improvement in overall funding costs by making it expensive to issue debt abroad and by lifting money market rates. The shift in money market rates in Australia has been large, although not as extreme as in the United States. The Reserve Bank has said it will take any increases in funding costs and the extent to which they are passed on into account when formulating monetary policy. Superannuation returns have fallen in the last six months, as has household wealth. The evidence suggests that, while our economy is strong and resilient, it is not completely immune from events overseas. Our banking sector is profitable, well regulated and well capitalised, but its stock prices have fallen nonetheless. We need to make sure our regulations are appropriate and that regulators are doing their job properly in monitoring developments closely.

The coalition left the economy in good shape. Thanks to successful reforms, including the financial sector reforms and the Wallis reforms—which created APRA, ASIC and the nine iterations of the Corporate Law
Economic Reform Program, CLERP—as well as our very strong fiscal position, Australia is in a very strong economic position compared with most other OECD economies. We are also benefiting from the growth in Asia, particularly China. The diversification of our exports has reduced the volatility of the terms of trade. Australia’s flexible workplace relations laws have also helped by providing job opportunities. Reform of the tax system has also been crucial to provide dividends to Australians and to improve the competitiveness of our tax system.

But I repeat: Australia is not immune to the financial crisis. We are well prepared and our economy is strong and resilient, but the Rudd government have been caught like rabbits in the headlights. The panicky attacks on the new Leader of the Opposition have built on perceptions of a government that lacks the ability to manage the economy through this global crisis. The government are so focused on symbolism, websites, reviews and inquiries that they forget about the decisions and the actions that must be taken. The Prime Minister seems to be more focused on 2020 than on today, 2008. There are serious economic issues facing our country right now. The Prime Minister has to start governing and start governing for the present.

The major concern about the Treasurer’s response to short selling is the inconsistency and the mixed messages emanating from the government. Only a few weeks ago, on 8 August, Minister Sherry said that the government would not ban short selling. He said:

Let me say again for the record—we will not be banning short selling.

Then the government changed tack, with the announcement on Friday of an interim ban on what is called naked short selling, with Minister Sherry welcoming the change. On Sunday, the interim ban was extended to cover short selling in total. Essentially what this means is that as of last Friday the government and ASIC knew that the United Kingdom Financial Services Authority had banned not just naked short selling but all short selling in financials. Secondly, the United States Securities and Exchange Commission was proposing to temporarily ban short selling on the same basis. Yet, on the Friday, the Australian government chose to ban only naked short selling. Why did they not ban all short selling last Friday? If the excuse is that overseas regulators made subsequent changes, why is the minister not in close contact with these regulators, as he claimed?

The effect of all this uncertainty—which has been three or perhaps four positions over three days if you include the status quo and Minister Sherry’s comments—is that the Australian stock exchange had to delay opening on Monday morning to seek clarification from the corporate regulator about the decision to ban the short selling of shares in the local market. The Australian stock exchange had to close for an hour because of the confusion, the incompetence of the Australian government on the issue of short selling.

This sends a message of confusion and incompetence on the part of the Treasurer—or was it just sheer panic? It is symptomatic of a government that is unsure of where to go or how far to go. This is a government that says it wants to promote Australia as a financial services hub and then reduces withholding tax for foreigners. This is a government that says it wants to promote certainty and stability in the financial markets but manages to close the stock exchange, amidst great confusion. What must the international investment community think of such incompetence?
The coalition, as our leader has offered, is committed to a bipartisan response to the international financial crisis. The coalition remains committed to assisting the government. I extend an offer to the Treasurer, in the absence of the Prime Minister, to meet with me so that we can discuss any further measures that might be needed. I urge the Prime Minister and the Treasurer to cease their reckless attacks on the economic legacy of the coalition government and to cease their attacks on the Leader of the Opposition when all he seeks to do is discuss the impact of the financial crisis with the government of the day—a financial crisis that will affect jobs, superannuation and mortgages in this country. I ask the government to commit to doing everything in their power to rebuild the shattered confidence of this nation.

Trade

Mr CREAN (Hotham—Minister for Trade) (4.00 pm)—by leave—I have the pleasure to make a ministerial statement to announce the release of an independent report into Australia’s export policies and programs, the Mortimer report, conducted by Mr David Mortimer AO and Dr John Edwards. A key part of this review was the Export Market Development Grants Scheme, the EMDG Scheme. I present the Review of the Export Market Development Grants Scheme.

Release of the Mortimer report

The Mortimer report provides a basis for the government’s future trade policies. I will use its recommendations to continue our commitment to refocus Australian trade policy and to help lay the foundations for our future prosperity. The report notes with concern our persistent trade deficits in recent years and that they have contributed to the increase in the net foreign liabilities. The report makes the point that an increase in exports will be necessary to stabilise net foreign liabilities and to avoid a potentially painful adjustment process in the future.

Whilst the report does not actually set a target for improving our export performance, I think we do need to set ourselves a goal. There are differences of opinion as to what measure is best. But we must take steps to ensure that our net exports make a consistently positive contribution to economic growth. For that, we need to set ambitious objectives. We have got to be ambitious if we are to turn around the failures of the previous government on trade policy. We have got to be ambitious if we are to respond to the changing nature of trade, and we have got to be ambitious if we are to boost our international competitiveness.

We have already achieved significant outcomes that will improve our trade performance and made significant down payments on which we can now build. Our first budget made significant commitments to invest in the drivers of economic growth—in particular, to invest in infrastructure, skills formation and innovation. The government commissioned this report because Australia needed a comprehensive review into our trade performance due to the previous government’s failure to address this critical contributor to our economy.

The previous government in fact had no policy on trade, and it showed. Under their watch, despite the resources boom, net exports made a positive contribution to economic growth in just two out of their 11 years in office. This stands in stark contrast to Labor’s performance when it was last in government, when net exports made a positive contribution to growth in 10 of our 13 years in office. That is the difference: two out of 11 from the other side; 10 out of 13 when we took a comprehensive approach and understood the importance of lifting our trade performance.
I have spoken before in this place on a number of occasions about the record 72 consecutive trade deficits that we inherited from the previous government. No other government in our history has presided over such a disastrous run. Worse, the Mortimer report tells us that much of the deterioration under the previous government was in the last five years, when we had the benefit of a major resources boom and very favourable terms of trade.

Not only was their trade negotiation strategy not productive, they failed on two other important fronts. First, they failed to invest in the key drivers of economic growth and competitiveness. Second, they failed to understand the changing nature of trade and investment. In the previous response to the Treasurer’s ministerial statement, I noticed that the new shadow Treasurer talked about the legacy of the previous government. Well, the legacy of the previous government was an appalling one when it came to trade performance.

The shadow Treasurer also made mention of the fact that under them there had been a diversification of our export base. The truth is that that diversification did not happen. The services economy is 80 per cent of our domestic economy, yet it is only responsible for 23 per cent of our exports. That is not a diversification. The previous government’s failure to understand the opportunities in the services economy and the importance of investment is part of the reason we had such an appalling trade performance under them. The previous government just rode the resources boom and hoped that strong demand for Australian resources would boost our exports. They did not think about how we would meet that demand and they did not think about the long term.

The Mortimer report finds that critical parts of Australia’s infrastructure have failed to cope with the current demands and that this has substantially limited export volumes and competitiveness. Mortimer also received considerable input on the extent to which shortages of labour, both skilled and unskilled, have emerged as a constraint on Australia’s export and investment capacity. No wonder our export performance under the previous government has been so poor.

A new approach

This review confirms the need for the Rudd government to implement its new trade and investment strategy to lift Australia’s trade performance. We will seek to ensure net exports once again make a positive contribution to economic growth, because this is what boosts our economic prosperity. This is what lifts our standard of living. This is what creates jobs—higher paying, more skilled and more sustainable jobs. And, Mr Deputy Speaker, we know it can be done.

The last Labor government—of which I was proud to be part—did it. Net exports made a positive contribution, as I said earlier, in 10 out of our 13 years in office. In the Hawke-Keating years we laid the groundwork for successful export performance by:

- investing in the drivers of economic growth
- opening up the economy through broad structural reform and
- broadening the export base.

And we reaped a positive trade dividend as a consequence. The Rudd government has already, in its very first budget, laid the basis for doing this again. The Mortimer report strongly endorses the government’s view that, as important as market access is, trade policy must also focus on broader economic and trade reform in order to capitalise on that access. It’s what we in government have continually referred to as the twin pillars approach to our trade policy. That is, trade re-
form at the border, to increase our market access, and trade reform behind the border, to improve our international competitiveness. There is no point improving market access if we as a nation are not competitive enough and productive enough to take advantage of the opportunities.

**What we have already achieved**

Consistent with the report’s recommendations, we have already made a significant down payment on improving our trade performance. And the completion of the Mortimer review marks the fulfilment of another key election commitment.

On the first pillar—the market access pillar—the Mortimer report provides a comprehensive set of recommendations on how we can better respond to the market access priorities of Australian business. It calls for the conclusion of the WTO Doha round of negotiations as the most effective basis for enhancing trade liberalisation. Given the trend towards bilateral free trade agreements, the Mortimer report strongly advocates engaging our approach to the free trade agreements in a way that reinforces the gains we make at the WTO—in other words, free trade agreements that are complementary and enhancing of multilateralism, not detractors of it.

While we are keen to develop this strategy further, we have not waited for the Mortimer report to get on with the job of opening markets for Australian business. We have already recalibrated our trade negotiating policy under the first pillar. We are 80 per cent there on the WTO Doha round of trade negotiations. And we are absolutely committed to resolving the outstanding issues.

But not only have we seen significant progress in the multilateral negotiations, we have also achieved greater market access bilaterally and regionally. In our first 10 months, we have concluded two important FTAs. First with Chile—a model FTA in terms of its coverage and its comprehensiveness and one that is an enhancer of the multilateral system—and, most recently, Australia’s first region-wide FTA, with New Zealand and the ASEAN group of countries—our largest trading partner. This has given Australian exporters significantly better access to rapidly growing market—the first pillar of our trade policy.

We have unfrozen the China FTA negotiations. We have advanced negotiations on the Japan FTA. We have brought the India FTA study forward. We have agreed to preparatory talks on a Korea FTA. We have also established new coordination structures at the whole-of-government level and the whole-of-governments level through COAG. We have signalled a broadening of our export base with a strong focus on services and investment. We have integrated trade and investment promotion functions into one organisation, Austrade, reflecting the changing nature of trade and the needs of Australian firms. We have taken steps to modernise and strengthen the EMDG Scheme and in our first budget we added $50 million to fund commitments in 2009-10.

**International competitiveness**

Given the importance of trade to our economic prosperity, it will be critical that our domestic policies and spending are seen through the prism of enhancing our international competitiveness. This, in essence, is the second pillar of our trade policy approach. We have to ensure that Australia is productive enough and competitive enough to take advantage of our market access gains.

In this regard, we have also made a significant down payment on the second pillar, ie structural reform behind the border. We have invested heavily in the drivers of economic growth and competitiveness. In its first budget, the Rudd government established Infrastructure Australia, Skills Austra-
lia, the Education Investment Fund and the Building Australia Fund. Consistent with our rationale for commissioning the Mortimer review, and the conclusions in his report, we have already laid the foundations for a transformation.

**Enhanced coordination**

The review also recommends concerted efforts to strengthen coordination and delivery of trade policies and services, and a strong voice for business in developing trade and investment priorities and programs. The government has already established for the very first time a COAG council to coordinate efforts to improve our trade performance. I chaired the inaugural meeting of the COAG Ministerial Council on International Trade in August.

At that meeting, all Australian governments—federal and state—developed an ambitious and forward looking work agenda, which includes an assessment of the infrastructure and skills needed to improve Australia’s trade performance, as well as cooperation on exports and investment promotion, and the development of options for Brand Australia. This Mortimer report will also shape that council’s ongoing agenda and I look forward to working with my colleagues in responding to Mortimer’s recommendations.

More generally, the review reported on the declining proportion of Commonwealth government assistance directed to trade and investment facilitation, relative to other forms of business assistance. From 2000-01 to 2006-07, the proportion declined from a total of 42 per cent down to a mere 13 per cent; again, all under the previous government’s watch. This is another example of the Howard government’s neglect—and it is imperative that this government turns things around.

Austrade is our trade facilitation arm and the review endorses it as the central focus for all export and investment facilitation activities. It provides a vital link between policy and implementation. The need for more strategic cooperation between DFAT and Austrade is critical. Austrade also provides the link between government and the Australian business community. Whereas the previous government abolished the Austrade board, the Mortimer report reinforces the need for re-engagement with business and we have taken steps in this direction.

The review provides a solid basis for further strengthening Austrade. It welcomes the down payment made by this government starting with the integration of the former Invest Australia and Global Opportunities programs into Austrade. It recommends the organisation move beyond the delivery of services to individual firms and to develop and implement more strategic, sectoral based market development strategies. It flags the need for some new services for Australian exporters, reflecting the changing nature of global trade.

**Building an international business culture**

We also need to rebuild an international business culture in this country, and to enhance the capability of Australian firms to engage internationally. This requires a strengthened and more contemporary approach to trade development and facilitation. Mortimer reports that the most significant impediments to Australian firms going global are access to finance and inadequate knowledge of overseas markets. Recognising this, revitalising the Export Market Development Grants Scheme is an important part of Labor’s whole-of-government approach to improving Australia’s export performance.

The EMDG Scheme is integral in the current mix of export policies and programs and the reason we brought forward the EMDG review by two years. The review, the report of which I tabled earlier, concludes that the
EMDG Scheme is effective and recommends its continuation. Independent econometric analysis conducted in the course of the review concluded that each dollar of EMDG generates an additional $13.50 to $27 of exports. The analysis also confirmed that the scheme has a positive impact on the economy as a whole. This analysis will also be published today.

Despite these conclusions, the review highlights the impact that lack of funding certainty has on applicants. Mortimer states that the uncertainty has ‘unnecessarily diminished its value and public repute’. EMDG funding has effectively been cut in real terms since 1995-96 by the failure of the Howard government to top up funding for the scheme. Decisions by the Howard government in 2006 to make the scheme, on the face of it, more available combined with the failure to provide additional funding to cover the impact of those decisions will continue to affect grant payments paid this year—that is, 2008-09—for expenditure undertaken by firms in the 2007-08 financial year. This is the unfortunate legacy of squandered opportunities inherited by the Rudd Labor government. In contrast, in this year’s budget Labor has allocated an additional $50 million in 2009-10 to respond to commitments made by firms in this financial year. This is a significant down payment on our expansion of the EMDG Scheme.

The review identifies options both for addressing the funding of the scheme and for further modernising the scheme. In considering the broader question of access to finance the review goes further and identifies a number of other potential areas of market failure experienced by Australian firms seeking to grow global businesses. This is timely given both the changing nature of trade and investment and the opportunities for Australian companies to seize strategic benefit from new market access gains.

A classic example is the FTA with our 10 ASEAN neighbours. As a group they are our largest trading partner. Larger than China. Larger than Japan. And larger than the United States. We are developing a commercial strategy to take advantage of new opportunities in ASEAN as trade barriers fall. The Mortimer report reinforces this point and argues that Australia’s market and investment development efforts should be focused on rapidly growing and prospective markets and industry sectors. In particular, the report supports initiatives that actively maximise the internationalisation of traditional Australian industry sectors—like mining technology and agricultural services or automotive products and services—where this will reinforce the long-term competitive position of those sectors.

The report also highlights the need to take advantage of growing opportunities in international markets for newer, knowledge intensive services such as the financial services sector (particularly funds management), telecommunications and logistics, as well as to develop the export capacity and performance of areas of emerging capability including clean energy technology and water. We will need to strengthen export and investment development efforts through new services to support outwards investment and new efforts to build international business skills and culture. We will also need to strengthen efforts to raise international awareness of Australia’s commercial capabilities and look at a national approach to ‘branding’.

Conclusion

I would like to thank Mr David Mortimer and Dr John Edwards for their insightful analysis and forward-looking recommendations in this report. Our region has become the economic powerhouse of the global economy. Our vision is for Australia to make much more of this opportunity. The chal-
Challenge is not only to take advantage of the opportunities but also to help secure that economic growth in a sustainable way for ourselves and our region.

That not only means that we have to continue to take the lead in the trade liberalisation agenda but, fundamentally, it also means that we have to diversify our trade base to harness much more of the huge potential this nation has. It means doing more with our resources and agriculture base, and it means going significantly beyond it and expanding our opportunities. It means a much bigger focus on services and investment and understanding the importance of ensuring the necessary reforms to support that drive forward.

If we get this right, we will set up this nation for sustained prosperity beyond the resources boom. We showed the way when we were last in government. And now the Rudd government has picked up where we left off—with a new era of economic reform. In the first 10 months, we have already made a huge down payment on our commitment to turning around Australia’s trade performance, and there are indications already that we are turning the corner. I look forward to keeping the House informed of my response to Mr Mortimer’s report and our progress.

I ask leave of the House to move a motion to enable the member for Groom to speak for 23½ minutes.

Leave granted.

Mr CREAN—I move:

That so much of the standing orders be suspended as would prevent Mr Macfarlane speaking for a period not exceeding 23½ minutes.

Question agreed to.

Mr IAN MACFARLANE (Groom) (4.24 pm)—It is with some sadness that I rise in the House today to give a response to Mr Crean. I do not know how many lots of big words and long statements that achieve nothing that have come from the Minister for Trade, who sits opposite.

Mr Fitzgibbon—It’s not even your portfolio.

Mr IAN MACFARLANE—This portfolio is going to be taken over by the member for Wide Bay, and I am sure that he will be more than a match for those who sit opposite.

Mr Fitzgibbon—Where is he?

Mr Crean—No appearance, Your Worship?

Mr IAN MACFARLANE—Mr Deputy Speaker, there is a tradition in this House that, when someone takes leave for a medical reason, it is not raised. But we have already realised from the minister that he does not want to behave in a bipartisan way. I have asked repeatedly for briefings from his office and never had them. I have asked how I can make statements in relation to Australia’s trade policy when I am overseas and I have never received a response. I take a bipartisan approach to trade. I have written to the minister on a number of occasions—all of those letters have been on file—and have never been responded to. So I take some exception to the interjection.

Mr Crean interjecting—

Mr IAN MACFARLANE—I accept the apology. The Minister for Trade, whenever he stands at this dispatch box, always talks about doing more and doing something and all of that. Well, the time for talking about doing more is over.

Whilst it is a little difficult to comment on a report that has only just been presented—a report that has been long-awaited by those on this side of the House—we do welcome the tabling of the Mortimer report. I assure the minister that I will take the time to read it, as my passion for trade—which goes back to my days in agriculture when he and I first
crossed tracks and had a far more bipartisan approach to achieving things than we do now—that I have held for 30 years will continue.

The report may bring some clarity and direction to what has been a haphazard and chaotic approach by this minister, including the direction he has taken on everything from the EMDG Scheme to trade policy in general. I hope that this report may prompt the minister to stop floundering and actually accept the fact that he has a responsibility, because he is in government, he is on the Treasury benches, and he is in a position to do something about it. It may be in vain, but I hope this report might also spark the minister into actually considering the interests of exporters and investors—so far, the missing link in Labor’s trade policy. I can only wonder what sort of reception they might get in light of the fact that, when it comes to trade policy, the minister has adopted such a closed door approach to those who wish to work with him, including those on this side of the chamber who have looked for a bipartisan approach.

The minister did discuss the EMDG aspect of the report. That is certainly one of the most important aspects of trade policy, and it was one of the most important pieces of support infrastructure for exporters under the previous coalition government. Clearly, after 10 months in office, with no trade policy action, the minister figured, ‘What difference will a few more weeks take?’ I hope that, having released the report—after having sat on it for three weeks—he does not take weeks or months to define his response. The drip-feed approach that we have seen from the Labor Party has been to the detriment of Australia’s trade sector. On top of the DNA that exists within the Labor Party to govern by committee after committee, the core DNA of the trade minister has been a haphazard drip-feed approach to trade policy.

The government’s record so far on the EMDG Scheme has been nothing short of dismal. No amount of self-righteous carry-on from the minister will dispel the fact that it has been a woeful performance. Labor acknowledged the popularity of the EMDG Scheme when the coalition were in government. Despite the promises it has made and despite all the musing and illusion that it attempted to create—that it would fund extra money into the EMDG Scheme when it came into government—it has refused to allocate funding to a sufficient level in 2007-08, 2008-09, the current year, 2010-11 and 2011-12. This policy paralysis has left Australian exporters, who went about their business in good faith, tens of thousands of dollars short.

We have already seen the first payment in the current payment year, under this government’s budget, cut from $70,000 to $40,000. And the trade minister knew from the time he came into government that that was going to be the case. He knew that there were going to be shortfalls in the EMDG scheme and he did nothing about it. If he did do something about it, it certainly cannot be seen. So, either he did nothing or—as we suspect—he went to the ERC, the expenditure review committee, and got comprehensively rolled. He got no money for this year, $50 million for next year, nothing for the year after and nothing for the year after that.

I note that in the minister’s statement he said that they were making a down payment for exporters in the EMDG scheme. I hope that means that in the time ahead he will be able to change those forward estimates. It will be too late for this year. He could go into cabinet, as previous ministers on this side have done, and argue for extra money, but I assume he will not. But he may have the courage to argue to change the out years. I hope he does, because people involved in trade and exports in Australia need a minister who can get results out of the ERC. They
need a minister who does not pass the buck, who accepts that he is in government, who understands that it is his job to do something and who, instead of being more interested in ‘blamestorming’, actually gets in there and does some brainstorming about how to get the money for the exporters.

The Rudd Labor government has played a cruel hoax on Australia’s exporters by claiming to extend the EMDG scheme, broadening the parameters and making the scheme wider, while at the same time not addressing the shortfalls in three of the four forward years. Their one-off allocation of $50 million in grants in 2009-10, which will relate to expenses incurred in the current financial year, is leaving exporters out in the cold. Of greater concern is Labor’s attempted deception of exporters by failing to allocate extra money for the scheme after its initial $50 million in next year’s funding budget.

I hope the minister succeeds on this front but I can assure him that we will be holding his feet to the fire on it. He needs to stiffen up a little bit. He needs the parliamentary secretary to stay in Australia a little bit more. I am very pleased to see the parliamentary secretary here this week. I do not think that was planned, but it is good to see him here, because the Minister for Trade needs all the help he can get. This minister and his parliamentary secretary need to stop throwing the blame back on the previous government, because this minister has responsibility. He has to actually start doing things.

The damage Labor has done to the trade sector extends further than just the EMDG scheme. The minister had the audacity to stand at the dispatch box and talk about how he had improved the operations of Invest Australia by moving it into Austrade. That move in itself may or may not be a positive. I can see some positives in it. But the 100 people who lost their jobs in that transition would be wondering how you will do with 50 people a job that used to take 150 people. How will you do it when you have sacked two-thirds of your departmental staff?

In terms of the Global Opportunities Program that the previous government set up, they have moved that across to the trade portfolio. That, again, may be a good move, except that they ditched a couple of hundred million dollars in the process—ripped it out of that program to promote exports overseas and left that section, I understand, with less than $10 million. We have also heard from the minister about the amazing achievements in bilateral trade negotiations. I assume he includes in that statement the China and Japan free trade agreements—we know the budgets for the negotiations for those were cut in the budget.

One of the great distortions that we get from a Labor Party government is their attempt to rewrite history. They pay no credit, unlike this coalition when we were in government. We gave them credit for the work they did on the New Zealand agreement. We acknowledged that work. Then we set about beginning the processes on things like the Chile FTA. But they have given no acknowledgement of the work that was done on Chile by the previous government. This minister takes a myopic approach, with no bipartisanship, no grace and no diplomacy in what he does. I say to him: change your ways. If you attempt to rewrite history then history is going to catch you out. What we want to see is some real action; we do not want to see this continuous talk about what they are going to do.

Every time the Minister for Trade stands at the dispatch box, he talks about previous trade deficits, and in doing so exposes just how little they on that side understand about how an economy works. Of course, he is also trying to gloss over the cracks; he is trying to
gloss over the fact that, when Labor left government, they left a $96 billion deficit. They left us with an unemployment problem that had to be resolved. They also left a legacy of businesses broken by the high interest rates that existed during their government.

What the previous government had to do was restore the economic confidence of businesses to invest, to employ, to spend money, to rebuild the economy and to put in place the factories, the processes and the innovation. We had to make the decisions that would see Australia grow strong in the long term. In doing that, we saw business investment reach record levels in areas such as R&D for processing. We saw exports of processed goods in Australia reach record levels. That takes time, and it takes a lot of investment. It means you have to update your machinery. You have to retrain your personnel to do their jobs better so that everyone shares in the prosperity. You have to make the investment in innovation.

The Minister for Trade—who is no longer in the House; perhaps he is off on a flight somewhere; who knows?—fails to acknowledge that that was a time of economic rebuilding after the shattering days of the previous Labor government. As a farmer, I faced—and I am sure other farmers here such as the member for Gray also faced—interest rates in excess of 21 per cent. From those shattering days, when small businesses were destroyed by interest rates and inflation, we had to rebuild the economic climate to ensure that investment could be made.

The minister also talked about ASEAN. We certainly support the push for an ASEAN free trade agreement. We certainly support the efforts of the minister, even though we know not what they are. The minister will not give me a briefing on what he has done, and I suspect he will not give the new shadow minister a briefing either. We support whatever the minister has done to improve the trade relationship between Australia, New Zealand and ASEAN. It is a crucial part of our trade strategy going forward; it is no more and no less crucial than Doha. It is a partnership. You have to do both. You have to cover your bets at Doha by pushing forward with FTAs.

However, I have one of those uneasy feelings that you get when you have been a farmer and you are about to get a storm: you can see the storm clouds building on the horizon but the storm is full of hail not rain. I want to know what is in that ASEAN agreement before it is signed and finally ratified. Industry in Australia wants to know what is in that free trade agreement. When we were in government, we were given assurances that certain things would happen with access to markets after the Thai FTA. That did not eventuate, even though tariff reform did. The actuals behind the border reforms have not occurred. There are reasons for that, but we cannot go forward with an ASEAN free trade agreement and expose industries such as the car industry to the result of our failure to get the governments of countries that we are going negotiate with to hold to their commitments of giving us access.

In this instance, we need to look at how we will get motor vehicles into the ASEAN area. We need to look at how we will export Ford Territories out of Victoria into countries like Thailand and large six-cylinder vehicles, which are among the best in the world in their class, into some of the export markets. Australians continue to make the choice of vehicles that come out of Thailand, for instance. It is worth noting that Thai imports into Australia have doubled in dollar terms in the last two years. It is also worth noting that we need to ensure that whatever is in the Australian, New Zealand ASEAN free trade agreement gives us the access that we need. That will be a challenge. Were we in gov-
government, I accept that that would be a challenge. But it is a challenge that has to be met. The car industry in Australia is facing a crisis. I have not yet seen the figures that would have been released today, but I assume they will show that the downward trend continues in the larger vehicle segment of vehicles made in Australia.

We need to give that industry some confidence. When I was the minister for industry, I worked very hard on the car industry to begin exports and to grow their exports. So we have a situation now where, out of the vehicles Toyota make here, more vehicles are exported than sold here. Holden is heading towards the 50 per cent mark. We have to get trade markets for Ford. We have to be able to see those vehicles exported, and that will come through things such as the ASEAN FTA. But we need to know what is in there.

I look forward to seeing what is in the agreement. I know the Joint Standing Committee on Foreign Affairs, Defence and Trade looks forward to seeing what is in it. I know that JSCOT also looks forward to seeing what is in it. But, most importantly, industry in Australia looks forward to seeing what is in it. So, I beseech the minister to take a bipartisan approach and to take the member for Wide Bay into his confidence. Only he needs to know what is in the agreement for now. This would give us some confidence that the minister knows what he is doing in regard to the future of Australian industry. After a series of speeches in this House, we have seen absolutely nothing to date but talk. We need to see some action.

In conclusion, I also thank Mr David Mortimer and Dr John Edwards for their work. I will, as I said, take the opportunity to look at their report. I am sure based on just the credentials of those two gentlemen that it will be a fine report. It will identify opportunities for Australian exporters. It will identify opportunities for the government to put in place policies that give exporters the confidence they need—and they will need that confidence. But it would also give the government confidence that they have put money into those programs that they have not put money into to date. Instead of cutting negotiating budgets, they should be adding to them. Instead of cutting programs that were put in place by the previous government, they should be making sure that those programs run. They were in the forward estimates. They have been taken out of the forward estimates to fund programs that the Labor Party thought were more important. What is more important than trade? Very little.

In his absence, I thank the minister for the opportunity to respond to his ministerial statement. I hope that the efforts of Mr Mortimer and Dr Edwards are not wasted and that this government actually takes a swift and firm response to the report and gives the confidence to exporters that they need.

SAFE WORK AUSTRALIA BILL 2008
Cognate bill:
SAFE WORK AUSTRALIA (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2008
Second Reading
Debate resumed.

Ms Campbell (Bass) (4.45 pm)—Thank you for the opportunity to speak on this most important legislation, the Safe Work Australia Bill 2008 and Safe Work Australia (Consequential and Transitional Provisions) Bill 2008, and add my voice to those in support of safe workplaces for all Australians. Is it not one of the most basic of rights to assume that when hardworking Australians go to work they will return safely to
their families at the end of their shift? Is that not the absolute minimum that as a government and a community we should be demanding?

Over the last 10 years, 110 Tasmanian workers have not been returned to their families. Last year, nine workers in my home state lost their lives in traumatic workplace incidents. Just this week, WorkCover Tasmania released alarming figures which showed that each day 27 Tasmanians are injured at work. In 2007, that equated to 9,873. That is an increase of one per cent on the previous year. The majority of those injuries were soft tissue injuries due to trauma. More than 2,300 were caused by wounds, lacerations, amputations and internal organ damage. Other injuries were from falls, trips, slips and being hit by moving objects.

I understand, as do those on this side of the House, that workplace health and safety is currently a complex matter, with overlapping and unnecessary duplications and differences from state to state. As part of our commitment to a seamless national economy, this bill begins the process of reform to this overly complex system. As the Deputy Prime Minister and Minister for Employment and Workplace Relations informed the House, each year there are more than 300 Australians killed at work, and over 140,000 are seriously injured. Those are deeply distressing figures, but, more than that, they are people—hardworking men and women whose death or injury has a profound effect on their families, their friends, their colleagues and their workplaces. There is a financial cost also: some $34 billion a year. This is a cost borne by the entire community, not least the tens of thousands of businesses which operate across the country.

Since the 1970s, there has been a growing emphasis placed on health and safety in our workplaces—as well there should have been. At the same time, however, the nature of the labour market has changed and evolved, and I believe it is fair to say that the OH&S structures across states and territories have failed to keep up. Moreover, they have evolved independently of each other—for example, how the courts recognise and deal with workers other than employees may differ vastly depending on the jurisdiction. I would argue that a person’s right to safety in the workplace should not be determined by where that workplace is. And it is workers who bear the brunt of failures in this area. That is why, with the election of the Rudd government, an extraordinary opportunity was afforded us to change for the better many aspects of work life in Australia. Our agenda extends beyond the abolition of the abhorrence that was Work Choices.

Safe Work Australia replaces the Howard government’s Australian Safety and Compensation Council, which was largely an advisory council whose functions were limited. In contrast, the Rudd government’s Safe Work Australia will lead to a far more comprehensive and coherent approach to health and safety in the workplace. It will enable the development of a national policy relating to OH&S and workers compensation. It will prepare, monitor and revise OH&S legislation as well as develop a compliance and enforcement policy to ensure nationally consistent regulatory approaches across all jurisdictions. At the same time, Safe Work Australia will see developed a compliance and enforcement policy to ensure a nationally consistent approach to these two critical areas. Proposals relating to the harmonisation of workers compensation arrangements across all jurisdictions and proposals for national workers compensation arrangements for employers with workers in more than one jurisdiction will be developed also. The legislation will build expertise across OH&S laws and workers compensation schemes that
will be readily accessible across jurisdictions and industries and will reduce the complexity and costs for businesses, including businesses that operate across state boundaries.

In my home state of Tasmania, there are many potentially dangerous industries, as there are right across the country, from forestry, mining and construction to the health sector, where every day nurses face injury through lifting. It is not just death and serious injury we are addressing here today but what one might consider to be comparatively ‘minor’ injuries, which still have a profound and often debilitating effect on those individuals and businesses involved.

I have discussed Safe Work Australia at some length with a range of stakeholders across my electorate, and I can inform the House that the reactions are very positive. Even those organisations with reservations are positive about the prospect of a uniform approach to workplace health and safety and workers compensation.

Unions Tasmania describes Safe Work Australia as a welcome move which it believes will restore an independent body for the centralised research and development of workplace health and safety policy. Unions Tasmania believes, and indeed I also believe, that this body will play an important role in the ongoing improvement of safety at work and will support the work of state bodies by removing the duplication of effort and harmonising safety law. Among the concerns expressed by Unions Tasmania and also, I am aware, by the ACTU, is that the traditional tripartism has not been established—that the number of government officials will outweigh the number of employee and employer representatives, when perhaps these should be equal.

I am hopeful that this legislation, that Safe Work Australia, will enable the development of a national framework for OH&S which recognises basic minimum standards. By that I mean one which includes the highest health and safety standards to protect working Australians from death, injury and illness—one which places the burden of proof on employers when they breach the law. I want to see the highest standards of rights, powers and protections for health and safety representatives.

I am firmly of the view, and I know it is very much the view of Unions Tasmania, that workers have the right to be represented by their union regarding health and safety. It is impossible to overstate the importance of the role of authorised representatives in occupational health and safety. The effectiveness of the legislation in eliminating and mitigating risks depends critically on authorised representatives who operate independently and at arm’s length from the regulator. I am aware that, in New South Wales, unions have the ability to prosecute an employer for breaches of the act. I believe that this is worth considering in a national model. Most of all, vital to the success of any rule of law are meaningful penalties for those employers who are found to have breached the law. I would urge, and I will be advocating for, the lifting of standards across the board. We have a unique opportunity to look closely at laws across all states and territories and, rather than set up for a race to the bottom, we have an opportunity to strive to learn from their successes and failures and to establish strong, coherent and effective legislation which ensures, as much as legislation can, safe workplaces.

I would like, if I may, to highlight a particularly tragic case where a young man’s life was lost in the most avoidable of circumstances. In July 2004, a 16-year-old was doing something he should never have been allowed to do, at a workplace where he was deemed not to be employed, under the lax supervision of a self-employed boilermaker, who had been retained as an independent
contractor. It was, as I am sure you can tell, Madam Deputy Speaker Bird, a recipe for disaster—and that is exactly what transpired. This young man did not have a forklift licence. For that matter he did not even have a drivers licence, and yet he was operating a forklift—which, in the end, rolled, and crushed him.

To read the coroner’s report into this tragic occurrence—I will not say ‘accident’ because that implies it was unavoidable, and it most certainly was not—is to understand a little of what it is like to walk in the shoes of an employee at an unsafe workplace. The coroner observed the condition of the forklift which killed this young man. His report states that, while the condition of the machine did not impact directly on the teenager’s death, it is nonetheless worth noting. An inspection found that there was no tread evident on the left hand steer tyre and that the right hand tyre was worn. The steering link pins were worn; so too the mast pivot bushes. The handbrake was not holding properly; the cable appeared to be seized. Neither the flashing light nor tail brake lights were working. The left hand lift and both tilt cylinders were leaking oil—and I will go on, Madam Deputy Speaker: there was no tine stop bolt, the left hand tine tip was bent, the seat base was torn and there was no seat belt. The recommended tyre pressure for each of the forklift’s tyres is 100 psi; at the time of the accident all tyres were underinflated, ranging from as low as 50 psi to 64 psi. The coroner heard expert evidence that the forklift simply was not safe at the time this young man was left to drive it whilst unlicensed and unsupervised.

What this tragedy highlights, if nothing else, is the need for rigorous and enforceable workplace health and safety standards. Had this young man—ruled to have been onsite completing work experience—not lost his life, had there not been an accident of which to speak, how long would that forklift have continued to have been used in such a deplorable condition? Instead, a young man had his life cut short and a family had its life forever changed.

By way of background, the company involved in this death was the Australian Food Group—a company involved in Tasmania’s longest-running industrial dispute; a company which refused unions entry for the 18 months preceding the death and which, in the aftermath, attempted to wash its hands of any accountability, claiming that this young man was simply not their responsibility. It should also be pointed out that the family of this young man is still waiting for his funeral to be paid for, given that he was not classified as an employee.

I would argue that any legislation, be it workplace safety or industrial relations, is only as strong as the resources and competency of the inspectorate which supports and enforces it. I commend this bill to the House, confident that it paves the way for safer workplaces and hopeful that it will be employed to achieve the highest standards for workers, businesses and the wider community.

Ms RISHWORTH (Kingston) (4.58 pm)—I am extremely pleased to rise to support the Safe Work Australia Bill 2008. This bill creates Safe Work Australia, an independent Commonwealth statutory body designed to improve occupational health and safety outcomes for Australian workers. The bill also seeks to improve workers compensation arrangements.

Occupational health and safety is an extremely important issue that cannot be ignored. Essentially, health and safety is ensuring that when a person goes to work they come home healthy and uninjured. Unlike road deaths, workplace deaths often do not get reported in the media and therefore the
extent of deaths at work are not well recognised by the public. Perhaps the most tragic element of workplace deaths is that in most cases these deaths are preventable. In 2005-06, there were 230 compensated fatalities at work. The highest number of deaths occurred in the transport, construction, manufacturing and agricultural industries, but workplace deaths also occurred in many, varied industries, including the health services sector, property and business services sectors, retail trade and education.

Workplace deaths occur in a wide range of industries and therefore it is important that comprehensive occupational health and safety legislation is continually updated and protects the entire Australian workforce. However, occupational health and safety legislation is not just about preventing deaths in the workplace. It is also about preventing injury and disease caused by one’s workplace. In addition to fatalities there are many workers seriously injured at work. In 2005-06, 98,000 workers registered serious claims for a workplace injury and 41,000 registered a claim for a disease caused by the workplace, this causing serious distress and heartache not only to those injured but also to those families associated with it.

The cost to our economy of workplace injury and disease is enormous. It is estimated that $34 billion a year is spent directly on supporting injury and disease in our workplace. This figure is based on those workers that have made claims and this figure is likely to be much larger if the many workers who do not claim through workers compensation were included. Death, injury and disease caused by workplaces have a significant impact on our economy. We must have robust laws designed to prevent these incidents happening in the workplace. There is a myth often propagated by some employers that it is only a careless worker who gets injured at work. However, this ignores the many extraneous variables that can lead to human error such as time pressures, lack of equipment or fear of recrimination. It is therefore up to governments, employers, employees and unions to work together to ensure that Australian workers return home safely from work. The new Safe Work Australia will replace the Australian Safety and Compensation Council and will be an essential part of the government’s strategy to improve safety outcomes and workers compensation across Australia.

The Australian Safety and Compensation Council was set up only as an advisory body and was, essentially, a toothless tiger. The new safe work authority will be funded by the Commonwealth and the states and will play a central role in reforming health and safety and workers compensation legislation around the country. The key reform which Safe Work Australia will be in charge of is harmonisation of health and safety legislation nationally. This is something that the opposition talked a lot about but failed to do when they were in government. This will require cooperation between the Commonwealth and the states to develop a national policy relating to occupational health and safety to prepare, monitor and review model occupational health and safety legislation as well as develop compliance and enforcement policy to ensure nationally consistent regulatory approaches across all jurisdictions and also to develop proposals relating to the harmonisation of workers compensation.

As I have gone around speaking with both employers and employees in my electorate, they have told me they feel it is very logical that occupational health and safety is harmonised around the country. More and more of the workforce is becoming mobile and working across state borders, and many companies have interests in a number of states. It is particularly difficult for a national business that has one set of occupational health and
safety policies but must comply with seven
different sets of health and safety legislation.
Safe Work Australia will work to enable em-
ployers and employees in Australia to be
clear about what their rights and obligations
about safety at work are. By harmonising
health and safety and workers compensation
legislation, it will eliminate unnecessary
state duplication overlaps and difference.
This is another example of this federal gov-
ernment working with the states to achieve
real reform in Australia.

The process of harmonisation of occupa-
tional health and safety legislation across the
nation also provides us with an opportunity
to recognise and address less visible injuries
that are sustained at work. One of these areas
that need careful consideration is bullying in
the workplace. Bullying in the workplace is a
serious issue in many of our workplaces
around Australia. Working as a psychologist,
I saw the debilitating mental health issues
that arise when a worker is bullied at work,
with effects such as depression, anxiety and
lower self-esteem all leading to a reduction
in that worker’s productivity and a signifi-
cant loss to their quality of life. A modern
occupational health and safety system must
always be proactive about emerging health
and safety issues and aim to prevent these
injuries from occurring in the workplace in
the first place. Safe Work Australia will be a
new body that will do this. The new Safe
Work Australia will drive a national commu-
nication strategy to raise awareness of health
and safety at work. Increasing awareness
about health and safety in our community is
key to ensuring that the focus is on preven-
tion. Prevention is incredibly essential and
should be what occupational health and
safety is all about.

One of the key groups that help promote
health and safety in our workplace is health
and safety reps. My time at the SDA enabled
me to work with many great health and
safety reps doing fabulous work in their
workplace. I would like to take this opportu-
nity to place on the public record my con-
gratulations to all the health and safety reps
out there in the workplace working with their
employers and fellow employees to improve
safety on the ground. Being a health and
safety rep is often a thankless job. Health and
safety is not always the priority of employees
and employers alike at a workplace. How-
ever, it is the health and safety rep’s job and
passion to put occupational health and safety
front and centre at the workplace and they
step up to this and do a great job. Assistance
by the new Safe Work Australia will help
health and safety reps raise and communicate
health and safety messages in the work-
places, and this will be critical for them to do
their job.

Commonwealth and state governments as
well as employee and employer associations,
including unions, will all contribute to Safe
Work Australia. Unions, in conjunction with
employers, have played an essential role in
promoting health and safety in the workplace
and have achieved a great many improve-
ments in health and safety over many dec-
dades. I think a great example of that is bring-
ing the issue of asbestos to front and centre
of the debate on health and safety in this
country. No-one wants to see anyone injured
or hurt or a death at work; however, we must
work harder to ensure that this is not the real-
ity. The establishment of Safe Work Australia
will be critical to improving health and
safety at work, and I commend this bill to the
House.

Dr KELLY (Eden-Monaro—Parliament-
ary Secretary for Defence Support) (5.07
pm)—It is a great pleasure to rise in support
of the Safe Work Australia Bill 2008. The
purpose of this bill is to establish an inde-
pendent umpire to improve health and safety
outcomes in workplaces. The body, Safe
Work Australia, will also work to improve
workers compensation arrangements across Australia. This bill is important for all working Australians and their families. Making sure a worker gets home safely at the end of the day is good for the worker and good for our productivity. More than 300 Australians are killed each year at work. Many more die as a result of work related disease. Each year, over 140,000 Australians are seriously injured at work. We all know there is a significant cost to business and the economy as a consequence of industrial accidents, but the greatest costs are the lives lost and the lives blighted through injury. This includes the grief and burden on families and loved ones.

Our health, safety and compensation systems are in an unacceptable state, unnecessarily complex and costly. Inconsistencies between jurisdictions mean that some workers are at risk of poorer safety standards than their counterparts in other states. At the same time, these inconsistencies increase the complexity, paperwork and costs for the 39,000 Australian businesses that operate across state boundaries. Australian workers are renowned for working hard and giving their all for their jobs. International studies consistently highlight the Australian work ethic as among the most committed in the world. It is these workers who need an independent body like Safe Work Australia which can work to ensure occupational health and safety issues are dealt with in an effective and reasonable manner.

I am well aware of the effects of workplace injury, illness and death. In my youth, I worked in various jobs, including for a boatshed operator, as a storeman and packer at the Pulpit Point oil refinery, as a labourer on the Metropolitan Water, Sewerage and Drainage Board, as a trades assistant to a fitter and turner, as a night shift cleaner at a veterans Hospital, in the Schwarzkopf warehouses, as a labourer on a farm and for an electrician. My first job after receiving my university degree was with Turner Freeman Solicitors in Sydney, beginning in mid-1984. From the beginning, this involved working for the victims of industrial accidents and exposure to toxic substances. We worked on behalf of the members of the Waterside Workers Federation, the Australian Metal Workers Union and the Australian Nurses Federation, among others, wading through a complex matrix of state and Commonwealth occupational health and safety provisions, litigation and compensation. It was a privilege to work for these proud tradespeople and their families. This work taught me two important lessons: (1) the importance of ensuring the protection of working people by law and having robust independent safety bodies; and (2) the importance of the right of working people to organise, as these industrial victims would have had a hard time achieving justice without the support of their colleagues.

One of the great causes of that period of my life, and something that has shaped me as a person, was the fight to get justice for workers working with asbestos and the incidental victims of exposure to asbestos. The tale of this struggle was one of entirely avoidable tragedy. The hazards of asbestos had first been observed by the Romans 2,000 years ago. Pliny the Elder referred to it as ‘the disease of the slaves’. Its extensive use in modern times began during the Industrial Revolution of the 1800s, and it went into large-scale production during the early years of the last century. In the early 1900s, doctors in Europe knew that asbestos workers were dying from respiratory ailments. In about 1900, Dr Montague Murray reported on pulmonary fibrosis, or asbestosis, in workers employed in the asbestos industry. By 1918, insurance companies had already begun to refuse life insurance policies for workers occupationally exposed to asbestos, noting their unusually short life spans. By
the 1930s, there was a substantial amount of scientific knowledge accumulated concerning asbestos related diseases. However, this did not deter industry from mining and manufacturing numerous products containing various types of asbestos for domestic and industrial uses. At first, the heavy levels of exposure in the miners and manufacturers of asbestos products would see them die of asbestosis. Effectively, the massive amount of fibre they inhaled scarred their lungs so badly they would suffocate to death. Later product users and those exposed incidentally, such as wives shaking out their husband’s clothes, contracted the longer developing lung cancers and, worst of all, mesothelioma.

Over the first seven decades of the 20th century, the major miners and manufacturers, such as Turner Brothers in England; Johns Manville, Raybestos and UNARCO in the US; and James Hardie and CSR in Australia, conspired in one of the most shameful corporate cover-ups since the industrial age. Lawyers and doctors who began to get near the truth were bought off, research was suborned and monopolised, and a public relations disinformation campaign sustained. The first attempt to storm this edifice was made by Nellie Kershaw in the UK in 1925. Eventually, the US companies could see that they would need help from Congress and the law to shield them from potential liability. They were successful at first by getting the laws changed to prevent litigation against employers, moving to a limited workers compensation scheme. Then, when people began attacking them through product liability, they filed for chapter 11 bankruptcy protection. One benefit of this chapter 11 process was that, for the first time, the company files were obtained and the full horror of the callous ledger of death and profit they employed was revealed. One exchange sums up the mentality. At a meeting between UNARCO and Johns Manville executives, the infamous general counsel for Johns Manville, Vandiver Brown, stated, ‘UNARCO managers are fools for notifying employees who have asbestosis.’ An executive of UNARCO asked, ‘Mr Brown, do you mean to tell me that you would let them work until they dropped dead?’ Brown’s reply was, ‘We save a lot of money that way.’

I became aware of this material as a result of reports in the New Yorker magazine. This led my colleagues and I at Turner Freeman to start exploring avenues of inquiry that revealed an equally cavalier and despicable attitude in Australia. I travelled to the US and we built up a network of plaintiffs’ information and cooperation that was eventually to include Peter Gordon of the firm of Slater Gordon, with whom I was to visit the Wittenoom mine. This was also the former workplace of the Deputy Prime Minister and no doubt goes some way to explaining her total commitment to safer workplaces. The lies and collusion of the companies and their friends in workplace safety bodies staggered me, but I was also shocked by the litigation tactics of the companies that sought to draw out cases as long as possible in the hope of the death of the victims before settlement or judgement, as this substantially reduced the amount of potential damages in a case. These companies would flat-out lie about their knowledge and their corporate dealings, carefully working to cover their tracks behind corporate veils as their insurers started getting nervous. We spent endless hours in the Mitchell Library and the Stock Exchange, poring over discovered documents, finding and interviewing witnesses and climbing amongst ducting at Wittenoom to retrieve bagging as exhibits before the picture clarified.

My final case was for a former Royal Australian Navy veteran who had established a boutique winery in the Hunter Valley that was using asbestos filters. This was the sec-
ond source of asbestos exposure in his working life; large amounts of asbestos were used in the lagging of Navy vessels. In the course of this trial process, I acquired a devastating letter from the Commonwealth that conceded they had known all about the hazards of asbestos since 1943. Asbestos was still being used at the Garden Island Naval Dockyard in 1982.

It is sobering to note that the epidemic of asbestos diseases is yet to peak in Australia, as this is estimated to occur in around 2023. It is believed that as many as 45,000 persons may die in Australia over the next two decades if effective medical treatments are not found. About 2,500 persons are annually diagnosed with asbestos caused diseases, and the numbers are rising. In the US these figures are in the hundreds of thousands.

Great vigilance is required now as asbestos materials out there in the community begin to deteriorate more rapidly. As roofing and sheeting becomes more friable, fibres start to increase in the ambience. We need to ensure that removal and remediation is effective and that those tradesmen who could find themselves cutting and sawing in-place asbestos are properly aware of and can identify asbestos. It is a sobering fact that we have not been able to determine a safe level of exposure to asbestos. It may take only a single fibre to do fatal damage, although certainly the level of exposure is highly significant.

The human cost in numbers is one dimension of the tragedy, but the excruciating agony of an asbestos death is a more profoundly shocking thing altogether. Justice O’Meally, of the Dust Diseases Tribunal of New South Wales, has said:

I have seen many people present in court, at their homes, at hospitals and at hospices dying of mesothelioma. It is a dreadful and devastating disease, accompanied by pain which is uncontrollable. Those who suffer it reach a stage where it is necessary to fight for every breath, and with every breath accompanied by pain so dreadful that the only way to avoid it is not to breathe. The choice between breathing and not breathing is no choice at all. Constant and exquisite pain is all that one may expect in the struggle to exist.

Too many times I have been witness to this struggle and to the suffering of families who could do nothing but look on. The asbestos story is without question the greatest industrial disaster in the history of this country. I was proud to have served the brave victims and their families and to have played a part in establishing the liability of CSR and James Hardie before the world. As disturbed as I was by the behaviour of these companies, I became equally disillusioned by the laxity of the state organisations that were responsible for occupational health and safety issues. Clearly, it was not enough to say that the state would look after workers or that our compensation systems were providing efficient and timely outcomes. The bill before us today helps to ensure that all the key stakeholders will have a role to play in a safer regime. The federal, state and territory governments, the employers’ representatives and the workers’ representatives, operating together, will ensure there are no weak links in the system.

The asbestos experience also illustrates how important it is that information be shared not only nationally but internationally. Work Safe Australia will become a better mechanism for achieving this. It will establish liaison with other countries and international organisations on OH&S issues, ensuring we stay on top of best practice and get early warning of emerging risks and hazards. Through the promotion and publication of research, it will never again be possible for large companies to buy out and cover up medical and epidemiological data.

I want to pay particular tribute here to the tireless efforts of Bernie Banton, who passed
away just after the federal election last year. We all know Bernie’s story. Bernie stood up against an employer that was trying to do everything it could to evade responsibility through various corporate manoeuvres over the years. We owe it to Bernie’s legacy to ensure that workplaces are safer across this country. I would like to remind the House of what Prime Minister Kevin Rudd said of Bernie on the night of 24 November last year when accepting victory at the federal election:

Mate, you are not going to be forgotten in this place …

When so many were prepared to cast you to one side, Bernie Banton, you have been a beacon and clarion call for what is decent and necessary in life and I salute you.

Unions fought hard to get compensation for their members affected by asbestos exposure over many decades. If younger generations of workers question the relevance of unions, I would point to this battle. No-one worked harder at nailing down the deal with James Hardie than my colleague the Parliamentary Secretary for Defence Procurement, in his former guise at the Australian Council of Trade Unions, and it has been a special experience to have ended up working together with him on our national security challenges. The torch is still being carried out there, however, and I would also like to salute the continuing efforts of hardworking people like Sarah Schoonwater and Dean Hall, of the Construction, Forestry, Mining and Energy Union, who battle every day to make the highly hazardous construction industry a safer place. There are also a number of hazardous workplaces in my electorate of Eden-Monaro, where representatives of the CFMEU, the Australian Workers Union and the meatworkers union, among others, help to improve safety in our timber mills, forests and factories.

The National Timber Workers Memorial, in the beautiful town of Eden, in my electorate, is a constant reminder of the costs of not getting this right. I had the privilege of opening this memorial, at Wellings Park, on 7 June this year. It is dedicated to the more than 200 timber workers who have lost their lives in the industry. It also records the social history of the early pioneers of the timber industry, their communities and their relationship with Indigenous peoples and their environment. Families and friends of the victims came from far and wide that day, and it is a wonderful, reflective place of which Eden is justly proud. The memorial can be entered and exited through colonnades leading to a central statue, by sculptor Rix Wright, of an injured timber worker being assisted by his mate. The memorial statue, which depicts the mateship and compassion of timber workers for each other, is encircled by a memorial wall set with historical and remembrance plaques.

An innovative aspect of the project has been the development of a database containing an oral history of each plaque. The database can be accessed by phoning a common number advertised at the memorial and keying in the number of the plaque. The database was developed and will be maintained by the Eden Access Centre through a grant from the IMB Community fund. I thank all those who worked so hard to get this project off the ground, particularly those families who fought for a place to remember the loved ones they had lost at work. I am sure all members will be happy to hear that the federal government contributed nearly $50,000 to the establishment of this memorial. I was pleased to see that, in the design of the memorial, wood from my own family’s 19th-century sawmills may have been included in the arch leading into the colonnade, as beams from the old Tarraganda bridge over the Bega River were used. My
father also worked as a timber cutter and I have memories of him returning home with many dings and bruises.

Additional funding for the project was contributed by the Eden Access Centre, South East Fibre Exports and Forests NSW. In addition, the Timber Workers Memorial Eden committee provided a significant cash contribution as a result of their sustained fundraising efforts. This memorial, however, would not have occurred without the hard work of the many volunteers who gave so generously of their time and expertise, and thanks go to each and every one of them. Throughout history, timber workers have contributed to the exploration, success and wellbeing of our country, and they deserve to be honoured with this special memorial. In reflecting on the meaning of this memorial it is important to note the progress we have made on occupational health and safety in the timber industry. This progress has come through the excellent collaboration of the CFMEU and AWU with management.

I was also recently out at the opening of the Mila gas compressor near Bombala in the southern high country of my electorate and I want to congratulate the Jemena company for the great work they have done to make that site safe for its workers and the area. Despite these good examples, the fact is that the previous government’s Work Choices laws were making Australian workplaces less safe. Work Choices allowed unscrupulous bosses to cut corners because they knew they could get away with more under the previous government’s ideological plans to destroy the right of workers to organise. However, as a downside that was completely contrary to their own longer term interests, they also undermined their own ability to achieve safety and productivity through collective bargaining.

I want to make clear that I know the majority of employers do the right thing, but there are those who cut corners when it comes to workplace safety and who continue to try to use Work Choices to strip workplace conditions and employees’ rights. At the same time, Australian workers must continue to move beyond the cultural bravado that has contributed to a number of accidents in the workplace. We also need to take special care to ensure that immigrant workers are equipped with sufficient English and awareness to observe safety signs, instructions and practices. A number of times during the election campaign last year I was approached by people involved with construction sites who were concerned by the exploitation of immigrant workers and a consequent decline in commitment to safety standards.

We know that those opposite have a burning desire to bring back Work Choices and continue their job of eroding workers’ living standards, safety and productivity. We need no more motivation than that to do all in our power to keep them where they are. Safe Work Australia will replace the Australian Safety and Compensation Council, established by the Howard government as an advisory council whose functions were confined to coordinating, monitoring and promoting national efforts on health and safety and workers compensation.

In contrast, Safe Work Australia will develop national policy relating to OH&S and workers compensation; prepare, monitor and revise model occupational health and safety legislation and model codes of practice; develop a compliance and enforcement policy to ensure nationally consistent regulatory approaches across all jurisdictions; develop proposals relating to the harmonisation of workers compensation arrangements; collect, analyse and publish occupational health and safety and workers compensation data and undertake and publish research; drive na-
ional communications strategies to raise awareness of health and safety at work; further develop the National OHS Strategy 2002-2012; and advise WRMC on occupational health and safety and workers compensation matters.

Safe Work Australia will play a vital role in realising the government’s commitment and the commitment of all state and territory governments to working together to achieve harmonisation of OH&S laws. It will have the important task of developing the model Occupational Health and Safety Act, model regulations and model codes of practice for approval by workplace relations ministers. This bill is another step in the efforts of the Rudd Labor government to rebuild fairness, equality, safety and productivity in Australia’s workplaces. The health and safety of our workers is important and needs to be taken seriously in all workplaces by management and workers alike.

I am proud that this government is again taking the lead in ensuring that workers in Australia are treated with respect. Let us here in this place rededicate ourselves, in memory of the victims of industrial accidents and their families, to ensuring that future generations of our fellow Australians will never again, through callousness and negligence, face an avoidable industrial tragedy. I commend this bill to the House.

Mr COMBET (Charlton—Parliamentary Secretary for Defence Procurement) (5.26 pm)—Like for the previous speaker, my colleague Dr Kelly, the Parliamentary Secretary for Defence Support, occupational health and safety has also been a constant feature of my working life. I started in underground coal mining just west of Lithgow and learnt very quickly the importance of having a strong regulatory environment and effective workplace organisation, particularly in workplaces such as underground coal mines. I continued through my mining engineering work and ultimately ended up working for an organisation in the western suburbs of Sydney which was known as the Workers Health Centre and which did a lot of work on occupational health and safety on behalf of unions in New South Wales in many different industries and workplaces. It was there in the early 1980s that I first became involved with asbestos victims groups, the diagnosis and compensation challenges for people who had been exposed to asbestos and, of course, trying to prevent further exposure in many different industries such as the building industry. That started a long association with people exposed to asbestos. I worked on their behalf, but I also worked as a national official with the Waterside Workers Federation of Australia, many of whose members had been exposed to asbestos, as well as many other toxic substances, over the years and where compensation was a constant and difficult issue to resolve. I became involved with the ACTU in more recent years in the effort to bring about justice for victims of the James Hardie company, which had exposed people to asbestos over many years. I also, as Dr Kelly indicated a moment ago, knew Bernie Banton very well and worked closely with him.

At a regulatory level, in the 1980s I did a lot of work lobbying the Hawke government on the establishment of the National Occupational Health and Safety Commission. In some respects, the subject of the Safe Work Australia Bill 2008 and the Safe Work Australia (Consequential and Transitional Provisions) Bill 2008 is a potential successor organisation to the National Occupational Health and Safety Commission. What followed then were Worksafe Australia and the Australian Safety and Compensation Council. This bill considers the establishment of Safe Work Australia.
Every year in this country over 140,000 Australians are seriously injured at work and at least four times as many suffer less-serious injuries. Tragically, each year more than 300 Australians are killed at work and many more die as a result of work-related disease. This equates approximately to a fatality rate of 3.5 per 100,000 people. That is a tragic enough figure as it is, but it is also important to note that the figure is in fact higher, and getting worse, in some sectors. For example, 7.4 per cent of workers in the construction sector suffered a workplace-related injury in 2000, and by 2005-06 this figure had unfortunately increased to 8.6 per cent of that workforce. That is nearly one in 10 workers who are injured in the construction industry, an unacceptably high rate of injury. Workplace safety obviously has a big impact on workers, their families, their colleagues and their friends. Apart from the obvious human cost there is also the economic cost to the community, which has been estimated to be approximately $34 billion per year. Given the importance of this area to the individuals involved, their families, the broader community and economy, it is important that we get the occupational health and safety system in this country right.

Occupational health and safety systems are aimed at preventing workplace accidents, while the workers compensation system is concerned with delivering the support needed to workers and their families when such accidents do occur. Historically, both occupational health and safety and workers compensation arrangements have been fragmented across nine jurisdictions—the Commonwealth, the six states and the two territories. Each state and territory has historically had its own health and safety laws. The Commonwealth currently has two statutes, and there are also state-based industry-specific safety laws. This jurisdictional jigsaw puzzle has been driven by our constitutional arrangements historically since Federation. The High Court judgement in the Work Choices case in late 2006, though, provides the potential for change in this area of regulation by endorsing the capacity of the Commonwealth to rely upon the corporations power to a greater degree to legislate in this type of field.

While the current health and safety laws are in some ways consistent, there are still, with so many jurisdictions, enough fundamental differences between them to make many elements of them unique. This can be a very unsatisfactory position for workers who, in an increasingly mobile economic environment, might move from one jurisdiction to another and be subject to different rights and entitlements—particularly in relation to compensation entitlements, in my experience. Indeed, as the Deputy Prime Minister noted while introducing this bill:

Inconsistencies between jurisdictions mean that some workers are at risk of poorer safety standards than their counterparts in other states. Of course, that is evident when you have differing standards in different jurisdictions.

But this circumstance is also bad for business, which faces different rules and the costs of complying with different systems. This is why the Labor Party, the Rudd Labor government, supports the harmonisation of these systems, and that requires the leadership that has been shown by the government. Unfortunately, currently there is no national body that is able to demonstrate leadership on these issues in a specific way or move the agenda of harmonisation forward through cooperative federalism. The body that is currently meant to be fulfilling that role is the Australian Safety and Compensation Council. That council was established by the Howard government in 2004. It replaced the National Occupational Health and Safety Commission, or Worksafe Australia, which
had been set up, as I mentioned in my intro-
ductive remarks, by the Hawke government
in the mid-1980s. The National Occupational
Health and Safety Commission was a tripar-
tite body that had real responsibilities and
powers and played a valuable role in the
formulation of workplace safety elements.

Unfortunately, and perhaps as a sign of the
previous government’s unwillingness to
genuinely deal with this issue, the Australian
Safety and Compensation Council’s powers
were limited only to coordinating, monitor-
ing and promoting, and it lacked sufficient
teeth to have a substantive role in promoting
occupational health and safety across the
Australian workforce. That is why, at the last
election, Labor committed to:

• replace the existing Australian Safety and
  Compensation Council with an independent
  and authoritative institution to drive an inclu-
  sive approach to improving health and safety
  standards and delivering the reform agenda.

Labor promised to do so by applying the fol-
lowing principles, which are extremely im-
portant in guiding the approach to this bill:
an inclusive approach to the harmonisation
process, where the concerns and suggestions
of the states, unions and employer groups
would be properly considered; consideration
of the implication for compliance efforts re-
quired to ensure any increased consistency
extends to enforcement of standards; the
consideration of the resource implications for
all levels of government in administering any
increase in harmonised laws; and, also, the
observance of COAG’s current directive that
there be no reduction in safety standards or
current levels of support for injured workers.
Particularly with my background, I believe
that commitment is extremely important in
approaching this issue, and for the harmoni-
sation of occupational health and safety ar-
rangements in the future it is critical that
employee rights and entitlements in relation
to compensation, not just in the regulation of
occupational health and safety, are not di-
minished.

The substance of the bill now before the
parliament delivers on these commitments
and stays true to the principles that were out-
lined in Labor’s policy. But before I explain
in greater detail the substance of the bill, I
would like to place it in the context of two
broader aims of the government, which are,
firstly, to improve safety outcomes and
workers compensation arrangements and,
secondly, to move toward what has been de-
scribed as a seamless national economy.
Firstly, the government is committed to im-
proving safety outcomes and workers compen-
sation arrangements across Australia. To
achieve this, the government has already
undertaken a review of the Comcare scheme.
It set up an independent panel of experts to
conduct a national occupational health and
safety review and it has developed a land-
mark intergovernmental agreement with the
state and territory governments to harmonise
occupational health and safety legislation
nationally. These are extremely important
steps which the government has taken, and
the establishment of Safe Work Australia,
consequent upon the enactment of this bill,
will illustrate concrete progress in the gov-
ernment’s commitment to these objectives.

The second element that I wish to place in
context is the Rudd government’s commit-
tment to establish a seamless national econ-
omy. The government aims to do this by re-
moving unnecessary state duplications, over-
laps and differences through cooperative
federalism. As I have already stated, the cur-
rent health and safety and workers compensa-
tion systems are fragmented across nine
jurisdictions, making them an obvious can-
didate for reform, albeit with a careful ap-
proach. It also makes good business sense to
move towards a new harmonised system and,
if appropriate in the future, to utilise the cor-
porations power of the Constitution to help
build on the harmonisation of the occupational health and safety arrangements.

Over 39,000 companies now conduct their business across different jurisdictions. That imposes upon them a significant cost in complying with different rules and regulations. In submissions to a 2004 examination of occupational health and safety systems, undertaken by the Productivity Commission, a number of companies quantified the cost of a failure to harmonise these laws. For example, CSR estimated the cost of maintaining and renewing five self-insurance licences at over $700,000 per annum, compared to $200,000 for a single licence. Insurance Australia Group estimated that the existence of multiple schemes added $10.1 million to the one-off cost of setting up a single national IT platform. In total, it estimated that having to comply with multiple jurisdictions added about $1.7 million to IT costs annually. Further, it estimated that a national scheme could offer to the group overall operating cost savings of $1.2 million per annum and could reduce actuarial costs by $400,000 per year. Skilled Engineering, another company with which I am very familiar, estimated that the annual cost savings to a company operating under a single set of national OH&S laws and workers compensation rules would be in excess of $2.5 million. That represents 15 per cent of a company’s annual costs for OH&S and workers compensation premiums. Those are just three examples from companies which would stand to benefit from a sensible harmonisation of the proposed laws. Multiply that across the 39,000 businesses doing business over different jurisdictions in Australia and it is obvious that there would be significant economic savings and efficiencies to be gained.

However, it is very important to note that any savings delivered through harmonisation must come as a result of a reduction in red tape and multiple systems. In no way should savings come as a result of any diminution of either workers’ rights or the occupational health and safety duties and responsibilities of employers to their employees.

The purpose of this bill is to establish Safe Work Australia as an independent Commonwealth statutory body in order to improve occupational health and safety outcomes and workers compensation arrangements. As I indicated earlier, Safe Work Australia will replace the Australian Safety and Compensation Council. In contrast to the ASCC, Safe Work Australia will have substantive powers and responsibilities. It will develop national policy relating to occupational health and safety and workers compensation and, in the process, will advance the cause of harmonisation. It will also prepare, monitor and revise model occupational health and safety legislation for consideration by all relevant parties. It will develop a compliance and enforcement policy to ensure nationally consistent regulatory approaches across all jurisdictions. It will develop proposals relating to the harmonisation of workers compensation arrangements. It will collect, analyse and publish occupational health and safety and workers compensation data and will undertake and publish research. It will drive national communications strategies to raise awareness of health and safety at work, which is extremely important, and will further develop the national occupational health and safety strategy that was developed to cover the period 2002-12. Finally, Safe Work Australia will have the responsibility of advising the Workplace Relations Ministerial Council on these matters.

The bill before the House also creates mechanisms for reviews and revision of Safe Work Australia so that the government can ensure that this body is able to fulfil its intended role and purpose. Importantly, Safe Work Australia will be a tripartite body. It will comprise 15 members, including an in-
dependent chair, nine members representing the Commonwealth and each state and territory, two members representing the interests of employers and two representing the interests of employees and executives. The bill allows for the Minister for Employment and Workplace Relations to make these appointments on advice from each representative organisation.

To ensure that the best expertise is utilised when required, the bill also allows for Safe Work Australia to constitute committees to draw upon a wide range of expertise for the performance of its functions. That will be an important part of its work, due to the breath and complexity of occupational health and safety issues, the identification of hazards and the drafting of policy responses, particularly for prevention, which is often one of the most difficult areas in this field.

Demonstrating the government’s approach to cooperative federalism, the body will be jointly funded by the Commonwealth and the states and territories and its work will be focused on the intergovernmental agreement between the Commonwealth and our state and territory counterparts to harmonise occupational health and safety legislation nationally. I think the commitment of the states and territories to jointly fund, with the Commonwealth, the organisation is testament to the success to date in fostering consensus on the importance of this effort to harmonise occupational health and safety arrangements nationally.

I think there is evidence—and one would hope that there is—at a greater level than has been experienced previously in our Federation of a recognition of the necessity and importance for employers and employees throughout the national economy of having an increasingly consistent set of occupational health and safety arrangements and, ultimately, standard workers compensation arrangements.

On that issue, in my experience of dealing with people who have contracted asbestos related diseases it has always escaped me how the differential outcomes that are frequently the result of compensation proceedings in the different jurisdictions could be just and fair. It is important that we work towards a nationally fair and decent system that is equitable for all people unfortunate enough to be injured at work or exposed to a hazard to their health.

Occupational health and safety is an area of policy that is extremely important for the government and that has been unfolding at the federal level for some years. It is extremely important at a national level because it affects the lives of literally millions of Australians and their families. As a decent society we must ensure that we have decent and fair occupational health and safety regulation. It has always been a passion of mine, working in this area, and I have been a strong advocate of strong occupational health and safety laws and decent workers compensation schemes which offer appropriate financial security for injured employees and their families. I am also on the public record supporting a harmonisation of these laws across Australia and have held that view for a considerable period. It is for all of those reasons that I am proud to support the bill before the House today, because it does take us much closer to achieving those goals.

Ms HALL (Shortland) (5.46 pm)—Like the previous speaker, I take great pleasure in speaking to this legislation as somebody who has spent a large part of their working life advocating change in this area. It is really pleasing to see that the government is taking action to improve occupational health and safety throughout Australia—something that unfortunately deteriorated under the previous
government. We need to have a safe workplace because it contributes to the overall productivity of the country and the social fabric of our society.

The Safe Work Australia Bill 2008 proposes to establish Safe Work Australia as an independent Commonwealth statutory body with the purpose of improving workers compensation arrangements and occupational health and safety outcomes in Australia. It establishes operational arrangements to support Safe Work Australia, including provisions relating to the nomination, appointment and terms and conditions of members; conflict of interest issues; the conduct of meetings and decision-making processes; the development of plans; and requirements for reporting to the Workplace Relations Ministers Council. It enables the chair to constitute committees to draw upon a wide range of expertise for the performance of its functions. This is a cooperative approach that stops the blame game that has taken place in so many areas by bringing the states and other players together to work constructively to create safe workplaces throughout Australia.

Safe Work Australia will be a reform focused body with the power to make recommendations directly to the Workplace Relations Ministers Council. It will replace the Australian Safety and Compensation Council, which was established by the Howard government as an advisory body whose functions were confined to coordinating, monitoring and promoting national efforts on health and safety and workers compensation. I think I can safely say that that body was not a great success and did nothing to enhance workplace safety within Australia.

Safe Work Australia will be funded 50 per cent by the Commonwealth and 50 per cent by the states and territories. It is estimated to cost $17 million in the first full year, and the Commonwealth will contribute $8.5 million. It will be a tripartite body made up of 15 members, including an independent chair, nine members representing the Commonwealth and each state and territory, two members representing the interests of workers, two members representing the interests of employers, and a CEO. The minister will make all appointments to Safe Work Australia based on nominations from each body.

The members, supported by the CEO and staff, will together form a statutory agency under the Public Service Act. This will be subject to Commonwealth governance regimes and will be a prescribed agency under the Financial Management and Accountability Act. It will remove inconsistencies between jurisdictions and make our health, safety and compensation systems less complicated. Previously, inconsistencies between jurisdictions resulted in the risk that safety standards for workers were poorer in some states than they were in others.

Back in 2003 I was a member of the House of Representatives Standing Committee on Employment and Workplace Relations. We conducted an inquiry into aspects of workers compensation schemes and prepared the report *Back on the job*. One of the findings of the report was that there was a need for national consistency. The need for greater national consistency in the operation of workers compensation schemes was raised frequently throughout the inquiry. The committee felt strongly that a national framework for workers compensation was needed to remove the complexities and deal with cross-border issues. This would lessen the potential for problems to exist in the area not only of workers compensation but also of occupational health and safety. As a long-term advocate for a consistent system—a system that is actually focused on the need to create a safe workplace—I feel that this legislation
before us goes a long way towards doing that.

The inconsistencies, some of which I have referred to, increase costs, complexity and paperwork for businesses that operate across state boundaries. I have been a caseworker working with somebody who has been injured in a different jurisdiction. At that particular time, the complexities of the system worked against the employer, against the worker and against obtaining a good outcome. That is just one example of how the inconsistencies that come from not having a seamless approach to workers compensation and work safety create problems.

This consistency is badly needed because more than 300 Australians are killed at work each year and more die as a result of work related diseases. They are mums or dads, somebody’s son or daughter, who go to work to earn a living to care for their families and loved ones and, as a result of their work, they lose their lives. Each year more than 140,000 Australians are seriously injured at work. Many of those will never work again, despite the fact that they would very much like to work and that they do everything in their power to undertake rehabilitation and retraining. Their lives are changed forever. That is one of the issues that Safe Work Australia will be addressing by creating safe workplaces. While the cost to the economy is estimated at $34 billion a year, the associated cost to the injured workers and their families just cannot be measured. It is not only loss of income but also a loss of their whole way of life, their self-perception and their relationships with their friends. It really is a life-changing event. I do not think that too many people really appreciate the significance that a workplace injury can have on a man or a woman.

If the passage of this bill is delayed beyond this spring sitting, Safe Work Australia cannot commence before 1 March 2009. This would put the COAG timetable for occupational health and safety harmonisation in jeopardy as the exposure draft of the model legislation is due to be released in May 2009. The member for Chisholm is following me and I know that she will be emphasising all these important issues. Safe Work Australia will develop national policy relating to OH&S and workers compensation; prepare, monitor and revise the model of OH&S legislation; develop a compliance and enforcement policy to ensure consistent regulatory approaches across all jurisdictions; develop proposals relating to harmonisation of workers compensation arrangements; collect, analyse and publish OH&S and workers compensation data; undertake and publish research; drive national communication strategies to raise awareness of health and safety at work; and further develop the National Occupational Health and Safety Strategy 2002-12. I will finish there and allow the member for Chisholm to take over. I strongly support this legislation.

Ms BURKE (Chisholm) (5.57 pm)—I would like to put on the record my thanks to the member for Shortland for a sterling effort under adverse conditions. She is probably suffering from a bit of work related illness herself, I should imagine! These are demanding sitting patterns we are doing and it is bringing a lot of us down with coughs and colds, so I say to the member for Shortland: well done.

The Safe Work Australia Bill 2008 establishes an independent national body whose role will be to improve occupational health and safety outcomes and workers compensation arrangements across Australia. It is an ambitious bit of legislation but one whose time has definitely come. Its time actually came quite some time ago. The Rudd Labor government sees the necessity to create a seamless national framework for occupa-
tional health and safety and workers compensation not only for the individuals whose lives are at stake but for the 39,000 businesses that operate Australia-wide. Businesses no longer know state boundaries. It is anomalous to think that a business operating in all the states and territories should be operating under different terms and conditions in respect of workers compensation and occupational health and safety, but that is what currently takes place.

In my previous life, which now seems a long time ago—indeed it is, coming up to my tenth year of being in the parliament—I worked for the Finance Sector Union. We dealt with the major banks, and they were operating Australia-wide. An injured employee in New South Wales had to deal with a totally different workers compensation and OH&S system from what there was in Victoria. This created enormous complexity for the banks. They had duplications at every level to deal with this. It also created problems from a union perspective because you were trying to deal with something at a company level, but it was not at a company level. It was at a state-by-state level. These were quite serious issues.

I vividly remember the day one of the organisers rang to say that there had been a robbery at one of the outlets in Perth at which I had been supervising and dealing with the staff. Luckily nobody was killed on that occasion. It is a fairly traumatic experience when somebody walks in with a sawn-off shotgun and puts it in your face. There was a great deal of stress and anxiety and, fundamentally, then follow-up claims for workers compensation and dealings around OH&S issues about the safety of those workplaces. Each state and territory had a different regime. We had to put in place different things and it was quite complicated. At that stage in Victoria, the workers compensation legislation had been changed by the then Liberal government. In that case, because it was a stress related claim to do with a bank robbery, there was actually no compensation for the individuals involved. It was a fairly stressful thing to have to say to an individual, ‘Turning up for work in the next couple of weeks is going to be fairly tense, but having faced a fairly aggressive bank robber you are not going to be recognised, rewarded or compensated.’ If they had been in another state, yes, they would have had some recognition. In the case in Perth there was some compensation, some recognition and some time given. But for a similar situation in Victoria a couple of months later nothing was given.

This legislation is needed to take away the unnecessary duplications, the overlaps and the complexities—most importantly for the workers on the front-line day in, day out, but also for businesses so that they have a much more coherent Australia-wide set of standards. The health and safety of the Australian workforce is high on the government’s list of priorities. It is something that we have moved to very quickly and it is something that we want to get on top of. The establishment of Safe Work Australia will give us the impetus to do that.

Currently Australia ranks in the top five countries for reducing work related deaths—but, still, too many people die each year. This year more than 140,000 Australians will be seriously injured at work and more than 250 Australians will die as a result of a workplace injury. This is estimated to cost the economy $34 billion per year. But, as the member for Shortland said, that pales into insignificance when you look at the cost to the families involved in those deaths.

In my first job, which now seems a very long time ago, having left university, I worked at VicRoads. I vividly remember the day that one of my colleagues rang from the
Western Ring Road site to say that there had been a tragic accident and that a contractor had died on site. As it involved a coronial inquest, the truck with the individual in it had to stay on site until the coroner could come out. My colleague had to sit by the truck with the dead worker in it for over six hours. It was a fairly traumatic experience sitting there. I remember trying to find the wife of the contractor so that we could have someone explain to her that her husband was not coming home that night. It was a very stressful day. I remember my colleague coming back to work the next day. He had worked for a long time at the Australian Workers Union and at the time was working on the construction site for VicRoads as a liaison officer. Although he had seen a lot of things in his days, sitting next to someone’s dead body for six hours was probably the most traumatic thing he had ever done. The operator of the truck was fined and then prosecuted under laws in Victoria. It was an unsafe practice that led to the death of that individual. The man was fairly young and it was his second day on that job. He left behind a wife and a couple of little kids. When you send your husband, the father of your kids, off to work, you do not think that he is not going to come home. It happens all too often and it is something that we need to take more seriously. We need to have good occupational health and safety practices in place to ensure that someone is not killed on their second day at work.

The statistics are quite compelling. The *Compendium of workers’ compensation statistics Australia 2005-06* states that the preliminary number of work related serious compensation claims reported in Australia for 2005-06 was 139,630. Of these claims, 231 were compensatory fatalities. The last time we collected statistics, 231 fatalities were recorded. Of the 139,630 serious injury claims, a high proportion, 68 per cent, were male. Men accounted for 69 per cent of injury and poisoning claims—that is a fairly large number of poisoning claims—and 65 per cent of disease claims. Obviously, males are predominantly in the more dangerous lines of work—the construction, manufacturing, transport and agriculture sectors. For men and women combined, there were 16 claims per 1,000 employees—a high proportion—in 2005-06, comprising 11 injury and poisoning claims and 4.6 disease claims per 1,000 employees.

From the *Statistical report notified fatalities*, July 2006 to June 2007, there were 162 notified work related fatalities—146 workers and 16 bystanders. So 16 people unluckily turned up at work sites and were killed. The number of fatalities was 16 per cent higher than in 2003-04, the first year of data collection, despite a 42 per cent decrease in fatalities over the period at agriculture, forestry and fishing workplaces. Most fatalities were male—146 in total; 14 fatalities were female and the gender was unknown in two other fatalities. Five industries account for seven out of every 10 notified work related fatalities: 17 fatalities occurred at a workplace primarily engaged in construction; 17 in agriculture, forestry and fishing; 17 in transport and storage; 11 in manufacturing; and nine in mining. The most common causes of fatalities were vehicle accidents, where there were 30 fatalities. Others included: being hit by moving objects, 29 fatalities; being hit by falling objects, 29 fatalities; falls from a height, 28 fatalities; electrocution, 13 fatalities; and being trapped by moving machinery, 11 fatalities. Again, as I say, you do not expect someone to go off to work and not return.

Many people in this place will know that my husband is a paramedic. Ambos do not talk about what they do; it is one of those coping mechanisms. It is quite interesting nowadays that when he comes home from
work and the kids say, ‘What did you do today, Daddy?’ generally the answer is that some guy’s heart did not work or something like that. Occasionally, if he is fairly quiet, it will be, ‘We were at a work site and there was a terrible accident.’ The terrible accidents he has seen over the years are fairly frightening. On one occasion he did recount that someone was electrocuted on a work site. He said the smell would never leave him. Again, you do not expect that to be part and parcel of going to work.

That is why we need good legislation. We need consistent legislation. We need it so that people understand it and can enforce it. On the whole, employers want to do the right thing. Unions want to do the right thing. They want to come together with a set of standards that they understand. Under Safe Work Australia we will have this bipartisan grouping, with representatives from the employer groups, the trade unions, the states and the Commonwealth coming together to ensure that we have consistency across the board. The previous government let this area fall. We are now picking it up and running with it.

The interesting thing about workplace fatalities is that they are concentrated within an age group—most commonly 35 to 44 years of age. Generally these are people with young families, so the cost and the impact are not just on the individual but on their family. It is also very interesting, if you go through the Notified fatalities statistical report, to see the types of accidents that occur. They are predominantly vehicle accidents, such as pedestrians struck by vehicles at work sites or workers struck by other moving objects, particularly in manufacturing and obviously within the agriculture area, with the rolling of farm equipment such as tractors. Another cause is workers being struck by falling objects. In my time at VicRoads another contractor was killed when, unfortunately, he was not given safety equipment at a site. He went up on a roof and a big gust of wind came along and he went with the roof. He did not get to go home. Other causes of death at work sites are falls from heights and electrocution.

We need to ensure, via this legislation, that there is a constructive process where everybody’s voice can be heard. We need to produce legislation that will govern how OH&S and workers compensation are harmonised across the sector. I commend the bills to the House.

Mr DREYFUS (Isaacs) (6.09 pm)—I rise today to speak to the Safe Work Australia Bill 2008 and related bill. This bill will establish Safe Work Australia as a new and independent statutory body to improve occupational health and safety outcomes for working Australians. Safe Work Australia will also handle workers compensation arrangements throughout Australia. Occupational health and safety has been, until now, primarily a state responsibility. Following the Work Choices decision of the High Court, there is at least the possibility that it may not remain so, but Labor was elected at the last election with a commitment to do more to ensure that appropriate standards are provided to all Australian workers wherever they work. It is Labor’s policy to work cooperatively with the states and territories to ensure that there are appropriate minimum national standards and to bring about a nationally consistent occupational health and safety framework. That framework will reflect best Australian and best international safety practice. This bill gives effect to the policy that Labor was elected to implement.

Safe Work Australia will replace the Australian Safety and Compensation Council and will enable better collaboration between the Commonwealth and the states and territories to deal effectively with the health and safety...
of Australian workers. Safe Work Australia will be funded 50 per cent by the Commonwealth and 50 per cent by the states and territories and will be able to make recommendations directly to the Workplace Relations Ministers Council. Safe Work Australia will be able to coordinate the national policy on occupational health and safety laws and prepare model legislation which can be applied to all jurisdictions. As you have heard from other speakers, Mr Deputy Speaker, this is another example of the Rudd government’s action on creating a seamless national economy without the countless state duplications, overlaps and differences.

As I said, Safe Work Australia will replace the Australian Safety and Compensation Council. That council, established by the former government, did not have the functions to effect any substantive change in this area. The council was confined to coordinating and promoting occupational health and safety policy nationwide. Safe Work Australia will undertake that function and many other functions as well. Safe Work Australia will develop national policy on occupational health and safety issues. It will draft, monitor and revise model occupational health and safety legislation for nationwide application. It will develop consistent policy on compliance and enforcement to ensure national consistency, following the national review of occupational health and safety laws announced by the Deputy Prime Minister in April 2008. It will develop harmonisation proposals for workers compensation arrangements. It will collect, analyse and publish data on occupational health and safety and workers compensation. It will further develop the National Occupational Health and Safety Strategy 2002-12 and it will advise the Workplace Relations Ministers Council on occupational health and safety and workers compensation matters.

Occupational health and safety is a critical area of reform. We need to ensure that all workplaces in Australia are safe workplaces. Safety should be of paramount concern to all stakeholders in all industries. We have heard the sombre statistics from many speakers in this debate. More than 300 Australians are killed each year at work. Very many thousands more die as a result of work related diseases—many more than the national road toll. Over 140,000 Australians are injured at work every year. This comes at a cost of $34 billion a year to the Australian economy and an inestimable amount of pain and loss to workers, their families, their workmates and their friends.

There are many recent appalling examples of work related death. The disaster at Wittenoom and the disgrace of James Hardie come to mind. In that regard it has been estimated that the total number of asbestos related deaths will reach at least 40,000 and possibly as many as 60,000 people by 2020. In total, almost half a million Australian workers experience a work related injury or illness each year, which means that there are millions of Australians suffering from work related health conditions.

Maintenance and improvement of occupational health and safety is critical to ensuring the livelihoods of all working Australians. People are entitled to expect that at the end of their working day they will come home uninjured. Good occupational health and safety conditions are also good for business, as employees enjoy safer working conditions, have improved morale and deliver higher productivity. Workplaces with good occupational health and safety can face fewer workplace injuries and benefit from higher retention rates.

In 2002, the National Occupational Health and Safety Strategy adopted under the former government had the following national pri-
orities: (1) reducing high incidence and severity risks, (2) improving the capacity of business operators and workers to manage occupational health and safety effectively, (3) preventing occupational disease more effectively, (4) eliminating hazards at the design stage and (5) strengthening the capacity of government to influence OH&S outcomes. It should be noted that there is no direct reference to the traditional protectors of safety on work sites, the trade unions of this country. It was the coalition government’s blind ideological opposition to trade unions which led it to repeatedly attempt to limit the role of unions in maintaining levels of occupational health and safety in workplaces. I could mention the former government’s attempt to remove unions from their role in occupational health and safety which we saw in the Occupational Health and Safety (Commonwealth Employment) Amendment Bill 2000, which lapsed on the prorogation of the parliament for the 2001 election.

It is worth noting that the National Occupational Health and Safety Commission, the former government’s own commission, reported in November 2002 in these terms:

… there is indirect but strong evidence that employee participation, either direct or representative, is an essential component of effective occupational health and safety management.

This is a pithy endorsement of a principled approach recognised for decades in the United Kingdom and in this country, and that approach is a collaborative approach to safety between employees and employers, including in that process the relevant unions. Freedom of association and rights of union entry to workplaces are important components of this approach to safety. Unions have a key role to play in safety. Most employers are very responsible and very concerned about safety, but not all are. State occupational health and safety authorities cannot visit or inspect every workplace, and the work of state agencies is supplemented by unions.

In June 2002, the former government made a further attempt to attack union involvement in occupational health and safety with another bill, the Occupational Health and Safety (Commonwealth Employment) Amendment (Employee Involvement and Compliance) Bill 2002, which was not supported in the Senate. The former government continued to ignore the large body of work that demonstrates the invaluable role that unions have played in improving safety. I will mention just a couple of examples of that work. There is a 2003 paper by Professor Walters entitled Workplace arrangements for OHS in the 21st century, which stated:

… in workplaces, in which joint arrangements were in place and especially where trade unions were involved, injury rates were considerably improved.

In another work the following year, Professors Walters, Johnstone and Quinlan, in a report entitled Statutory OHS workplace arrangements for the modern labour market, reported on a range of international and Australian studies and said that the research gives:

… support to the notion that joint arrangements, trade unions and trade union representation on health and safety at the workplace are associated with better health and safety outcomes than when employers manage OH&S without representative worker participation.

Regrettably, these and other studies were ignored by the former government and, indeed, are continuing to be ignored by those opposite who have spoken on this bill.

In late 2005, we saw the former government—then with its new control of the Senate and following on from its introduction of the harsh Work Choices legislation—make a further attack on the involvement of unions in occupational health and safety, with a fur-
ther bill, the Occupational Health and Safety (Commonwealth Employment) Amendment Bill 2005. Those amendments introduced so-called management arrangements which replaced occupational health agreements, traditionally developed through tripartite agreements between unions, employees and employers. The 2005-06 legislation also removed all reference to unions and replaced the term ‘employee representatives’ and proposed that employers, not employees, would control the election of workplace health and safety representatives. This was very much a backward step which ignored all of the accepted wisdom about the need to involve unions in occupational health and safety matters.

It was all part of the former government’s attack on the working conditions and rights of Australian workers in the form of the harsh Work Choices laws. It really poses the question: why would you seek to limit the role of unions in occupational health and safety when unions have a unique and well-recognised role to play in identifying occupational health and safety hazards and have all developed specific strategies to deal with occupational health and safety issues?

The speeches from opposition members on this bill have demonstrated that those opposite have learned nothing from the election last year. It would seem that they still do not understand that the Australian people have rejected the harsh Work Choices approach to industrial relations. Most of the speeches from those opposite, rather than talking about safety matters, spent time attacking state Labor governments and unions. I refer in particular to the speech given by the member for Curtin, the new shadow Treasurer, who described Safe Work Australia, the institution that this bill is going to introduce, as ‘just another botched policy’. One could ask whether the member for Curtin failed to ask the employers’ body, the Australian Chamber of Commerce and Industry, before she rushed to condemn the Safe Work Australia proposal. Perhaps she should have asked ACCI before she rushed to condemn, because these are the welcoming words of the Chief Executive of the Australian Chamber of Commerce and Industry in relation to the introduction of this bill on 4 September. Mr Peter Anderson had this to say:

The introduction of the Safe Work Australia Bill is an opportunity for industry and business organisations to give higher priority to workplace safety and to reaffirm their commitment to a consultative approach to occupational health and safety (OH&S) issues, at both a policy and workplace level.

It is also an opportunity for governments and the parliament to establish a sustainable and genuine tripartite body at a national level to further the goals of the National OH&S Strategy, and to work towards greater national consistency and practicality in OH&S policy, legislation and standards.

ACCI will work with governments, business organisations, unions and the parliament in examining the Bill and improving institutional arrangements for OH&S in Australia.

Far from thinking that there was anything flawed about this policy or the establishment of Safe Work Australia, we have, from one of the premier employer bodies, welcoming words.

The member for Curtin, the new shadow Treasurer, is so blinded by her hatred of the trade union movement that, in her speech on the Safe Work Australia Bill—an important piece of legislation about occupational health and safety—when she talked about the construction industry she did not once mention safety. Indeed, the member for Curtin frothed at the mouth about the Australian Building and Construction Commission instead of talking about the subject matter of this bill, which is occupational health and safety.
The member for Curtin said that the building commission is ‘under threat from the Labor government’. It again appears that the member for Curtin has not understood what happened in this country last November. Labor was elected on a platform which included the abolition of the Australian Building and Construction Commission from January 2010. That could not have been made clearer, and the Australian people appreciated and approved that policy because they were sick of the confrontation and conflict of the former government’s approach to industrial relations.

The member for Curtin went on to refer to some statistics about the building and construction industry, noting that it contributes some 6.7 per cent to Australia’s GDP and also that it employs 940,000 workers, which is nine per cent of the Australian workforce. You would think that we might then have heard from the member for Curtin some statistics about the safety record in the building and construction industry. But no, there was not one word about safety in the building and construction industry from the shadow Treasurer. Indeed, the shadow Treasurer ranted about unions, bleated about the powers of the Australian Building and Construction Commission and attacked former Federal Court judge Murray Wilcox QC, who is presently inquiring into the regulation of the building and construction industry.

What the member for Curtin should have done is to refer to the statistics of the Australian Safety and Compensation Council, which show the alarmingly bad safety record of the building and construction industry. I will just give some of them, because they show what a problem we have in this country and why it is important that we pay attention to occupational health and safety, particularly in the construction industry. The 2005-06 figures showed that the fatalities incidence rate in the building and construction industry was twice as high as the all-industries rate. Over the same period, the serious claims incidence rate was the fourth highest of all industries. This equates to 39 employees a day sustaining a serious work-related injury or disease requiring one week or more off work. There were 30 notified fatalities during the nine-month period from July 2007 to March 2008—that is 30 deaths in 36 weeks, and that is the worst performance since 1 July 2003. I would say to the member for Curtin that she should stop worrying so much about the trade unions in the building and construction industry and start worrying about safety in the building and construction industry.

If the Building and Construction Commission is to be mentioned at all in the context of occupational health and safety, a better inquiry might be to examine whether the threat of an investigation by the commission, or a threat of the use of coercive powers, may have had an overall negative effect on safety in the building and construction industry. There have been a number of recent suggestions that this is the case, arising from the fact that an action taken by a worker in relation to a safety concern is likely to be treated by the commission as an illegal industrial action with all of the consequences which flow from that.

Some curious criticisms have been made of this bill by those opposite in the course of this debate—notably claims made by opposition speakers that the six-year review period for Safe Work Australia, which is provided for in this bill, is somehow inadequate. In making those claims, they appear to have created the impression that Safe Work Australia will not be reporting at all when, of course, that is far from the case. Clause 70 makes it clear that there is to be an annual report to the minister and to the ministerial council. What happens every six years is a review of the Safe Work Australia process
and project and a report to the parliament about that.

The introduction of Safe Work Australia and the involvement, hard work and expertise of the trade union movement will improve workers’ safety. These reforms are needed to create better workplaces—which are safer workplaces—which will increase productivity and profitability. The wellbeing of working Australians is vital to this government. I commend the bills to the House.

Mr PERRETT (Moreton) (6.29 pm)—I too rise in support of the Safe Work Australia Bill 2008 and a related bill. I thank the member for Isaacs for his contribution to the debate. I too listened with amazement to some of the comments coming from those opposite, especially from the member for Curtin. It was quite surprising to hear in that sustained attack the suggestion that the board is somehow stacked with ALP operatives. Over the next few months perhaps that will change if they come from Western Australia, but there seems to be a suggestion that the composition of the board is fundamentally flawed because it was recommended by the states that happened to have Labor premiers. The way the opposition railed about this, maybe they do not have much faith in these governments changing over the next couple of years, even though they are three-year appointments. We will wait and see.

‘Bipartisanship’ is a word we hear often in this parliament; I have heard it a couple of times over the last couple of weeks. But the word ‘bipartisan’ is obviously not understood by those opposite, so I thought I would just inform them a little bit. The English teacher in me asked me to bring along the *Australian Concise Oxford Dictionary*. I just thought I would look up the word ‘partisan’. ‘Bi’ obviously means two, but ‘partisan’ is a word that means ‘a strong, especially unreasoning, supporter of a party or a cause et cetera.’ In military terms, it is a guerrilla in wartime. The other meaning is ‘loyal to a particular cause or biased’, from the French origins or, in the Italian dialect, ‘partisano’. So the word ‘bipartisan’ is obviously something not particularly understood by those opposite. Maybe they do not understand that it is ‘bi’, meaning two. Sometimes when I hear the member for Wentworth talking I think he must think that, when you trot out $30, it is ‘b-u-y partisan’ and you can buy support for something. Hopefully, the true meaning of the word ‘bipartisan’ will come into play in this House over the next couple of weeks.

This Safe Work Australia Bill will set up a new independent body to help make Australian workplaces safer and will drive better workers compensation arrangements. My background before I was elected, apart from being an English teacher, included working for the peak mining body in Queensland—the Queensland Resources Council. The member for Isaacs touched on the building industry. Obviously, the mining sector, whilst it has nowhere near the same number of fatalities, has incredibly dangerous work sites. Certainly in years gone by there have been huge numbers of fatalities, especially in coalmines. When things go wrong in a coalmine and they explode, there are very serious consequences. So the mining sector is one that has benefited from union involvement over the years. Unlike the member for Curtin, the mining sector has that great relationship between government, unions and employers—that is, mining companies. They understand that tripartite approach to health and safety. I see Bill Shorten, the member for Maribyrnong, walking in. More than anyone, he understands how important the role is that unions play in making sure that health and safety conditions are improved in mining communities.

My other unfortunate, sad connection with health and safety is through my younger
brother, Tim, who worked in the building trade. He was working in the building industry only about 10 metres over the border in New South Wales when a crane collapsed on him and the two men standing beside him, who were both killed. So it certainly has touched my family. In a lot of ways, my younger brother has never really recovered. Even though his back injuries were very serious, his psychological damage was much more serious.

I am looking forward to this Safe Work Australia initiative replacing the Australian Safety and Compensation Council. This will reduce the duplications and inconsistencies relating to workplace health and safety throughout Australia. It delivers on our election commitment to uphold safety standards while reducing complexity for employees and employers. Safe Work Australia will be jointly funded by the Commonwealth and state and territory governments and will include a total of 15 members from each of the Commonwealth, state and territory governments, two employee representatives and two employer representatives. The role of the Australian Safety and Compensation Council was to coordinate, monitor and promote national efforts on health and safety and workers’ compensation. Safe Work Australia will do much more than that, and it will drive national reforms to protect health and lives at work and cut costs for employers. This is all part of the Rudd government’s positive approach to corporate federalism, irrespective of whether the state governments are Labor, Liberal or some amalgam of those. The new body will be appointed by the minister and will make recommendations directly to the Workplace Relations Ministers Council.

The Rudd government were elected on a platform to restore balance and fairness to Australian workplaces. We have well and truly started on this journey by abolishing Howard’s unfair Australian workplace agreements. We saw that in no uncertain terms on election night when the member for Bennelong was voted out. That was something which had not happened previously to a sitting prime minister, apart from a gentleman by the name of Stanley Melbourne Bruce, the first Viscount Bruce of Melbourne. I looked up Stanley Melbourne Bruce; he was certainly an interesting character. He was only the second Australian to be granted a hereditary peerage of the United Kingdom parliament, and the only one whose peerage was formally created—that is, he took a seat in the House of Lords. Apparently there had been one granted before but the guy died at sea on his way to taking up his seat in the House of Lords. Stanley Melbourne Bruce was kicked out of federal parliament for introducing legislation that was attacking workers. At a time of riots and lockouts in New South Wales in 1929, he responded with the maritime industries bill, which basically did away with the ‘fair go’—much the same as when John Howard was trying to get rid of the Commonwealth Court of Conciliation and Arbitration—and Australians, basically fair-minded people, responded by giving Labor a landslide victory. Stanley Melbourne Bruce, the first Viscount Bruce of Melbourne, was defeated by Labor’s Ted Holloway in his electorate of Flinders. I am not sure if the Holloway family is around or listening to this but they really should have their hands shaken.

Mr Shorten interjecting—

Mr PERRETT—I am not sure if Ted Holloway was a Queenslander. I might have to check. Obviously, the Queenslanders sent down Maxine McKew to get rid of John Howard. I will defer to the member for Maribyrnong as to Ted Holloway’s state of origin. Obviously the Hon. John Winston Howard was only the second prime minister to be voted out. Why? Because he attacked the ‘fair go’ and, more importantly, attacked
the unions and health and safety, which is really an attack on the lives of people in workplaces.

We have also started work to make Australian workplaces not only safer but healthier. For example, we have undertaken a review of the Comcare scheme. Another shameful Howard government legacy was their gross neglect of Comcare. It was critically underresourced and unable to cope with its investigations workload. This obviously puts lives at risk, as anyone working in the construction sector would know.

The Rudd government has also set up an independent panel of experts to conduct a national occupational health and safety review and has developed an agreement with state and territory governments for nationally consistent occupational health and safety legislation. Having come from the mining sector, I know how particularly advanced this is, with governments, miners and unions sitting down together to work out ways to make businesses work smarter so that mining companies that go between states will not have to deal with different frameworks. This bill delivers on that agreement.

All Australians expect that, when a family member goes off to work, they will return home safely. Unfortunately, this is not always the case. More than 300 people are killed each year at work and more than 140,000 Australians are seriously injured. That sounds like simple statistics, but I can attest that my brother was seriously, seriously damaged by that workplace accident. So statistics do have personal tales behind them.

Australians still face danger in work sites around the country, and this is totally unacceptable. I think of people like Chris Geer and Steve Sayer, who fell to their deaths on a Gold Coast construction site earlier this year, at the time of the Queensland state conference, and there have unfortunately been more deaths, even on the Gold Coast, where my brother worked in the construction sector.

There should be no greater priority for employers than workplace safety, and I know that the overwhelming majority of employers are striving to do the right thing. I say that again: I know that most employers are trying to do the right thing. Unfortunately, many of these employers have been entangled in red tape as they battle the different laws in place throughout Australia. The inconsistencies between the states also lead to poorer safety standards and lower compensation for some employees. Once again, I refer to my brother Timothy, who was a classic example. He was working for a Queensland company on the Twin Towns Services Club but, because it was 10 metres over the border—in fact, I think the crane even swung over into Queensland at stages—and the deaths and the accident occurred right over the border, there were all sorts of problems and red tape with getting Sydney lawyers to deal with something that was really a Queensland accident. It will be great to resolve some of those issues by having greater consistency.

National cooperation will help overcome these issues and improve people’s lives. Greater cooperation will improve health and safety standards for workers and reduce the complexity of compliance and regulation for business. To achieve this, Safe Work Australia will develop a national occupational health and safety and workers compensation policy; prepare, monitor and revise legislation; develop a compliance and enforcement policy to ensure regulatory consistency across the nation; progress harmonisation of workers compensation arrangements; collect, analyse and publish occupational health and safety and workers compensation data; drive national awareness strategies; and advise the Workplace Relations Ministers Council on
occupational health and safety on workers compensation matters.

We must all be aware that, when it comes to occupational health and safety, there is too much at stake to be distracted by political games and turf wars. We have to get this right. This really is a time for bipartisanship. The only way to get this right is to work together in cooperation with all of the state and territory governments. Safe Work Australia will establish a platform to bring about even greater consistency and cooperation between all governments in the future. We must also continue to work with the many unions who strive to make workplaces safer for their members.

In closing, I thank the Deputy Prime Minister for introducing this legislation and for her commitment to safety in the workplace. She well knows that this type of legislation saves lives. I commend the bills to the House.

Mr SHORTEN (Maribyrnong—Parliamentary Secretary for Disabilities and Children’s Services) (6.41 pm)—I am pleased to rise this evening to strongly support the Safe Work Australia Bill 2008 and the Safe Work Australia (Consequential and Transitional Provisions) Bill 2008. The purpose of the Safe Work Australia Bill 2008 is to establish Safe Work Australia as an independent Commonwealth statutory body to improve occupational health and safety outcomes and workers compensation arrangements in Australia on an ongoing basis. The bill is looking to simplify the current system and make it nationally consistent. It does not make sense to have multiple schemes. Why should different jurisdictions have lesser or greater safety standards than others?

The Safe Work Australia authority will be an inclusive, tripartite body representing the interests of the Commonwealth, states and territories as well as employees and employers in Australia. The bill will play a pivotal role in realising the government’s commitment to working cooperatively with state and territory governments to improve OH&S outcomes and workers compensation arrangements in Australia. Safe Work Australia will be a reform focused body with the power to make recommendations directly to the Workplace Relations Ministers Council.

Occupational health and safety is a prime candidate for this sort of reform. The statistics are damning. Each year, more than 300 Australians are killed at work and many more die as a result of work related disease. Each year well over 100,000 Australians are seriously injured at work. These reforms are not just looking at death and serious injury; they are also looking at what people may see as minor injuries. These can have massive repercussions for individuals and their businesses.

In my old job as the National Secretary of the Australian Workers Union, I came across deaths, injury and disease in the workplace. As a union rep, my role was to ensure that workplaces were safe and to protect working Australians, to protect the rights of workers who had been injured previously and to seek equitable outcomes, as much as one can, for the families of those who were injured or worse. Trade unions have always led the way when it comes to improving occupational health and safety standards in Australia. Whether it is burns in the foundry, crushes in mines or falls at a construction site, these are all too often described as ‘accidents’. But it is not an accident, I contend, if it is preventable. Tragically, it is a fact that most people lose their lives in preventable circumstances.

In support of this bill I would like to draw the House’s attention to four arguments which I think underline the importance of this legislation. First of all, it is the basics which are killing people in Australia. In this I
am heavily influenced by Dr Yossi Berger, the National Occupational Health and Safety Unit Director of the Australian Workers Union, a considered thinker and a person of great action in saving people’s lives. Fitting guards on machinery still does not occur in Australian workplaces. The absence of lights and reverse beepers on mobile plants still kills people. Sixty years ago, not taking basic measures, like having first-aid kits stocked and accessible and ensuring that the hazards which lead to falls were well marked and guarded against, was causing 80 per cent of all the deaths in the workplace. Sixty years later, the killers and the causes are the same, and the culprits are still not caught.

Mr Katter—Minister, if you would take an interjection: this time last century, one in 32 of us who went down the mines died. The union was very helpful in—

The DEPUTY SPEAKER (Hon. DS Vale)—Order! The member for Kennedy!

Mr SHORTEN—I thank the member for Kennedy for his learned contribution. I appreciate that.

Mr Katter—Theodore and the AWU.

Mr SHORTEN—The member for Kennedy’s father was a great delegate of the Australian Workers Union, and we are grateful. It is obvious that we need to devote our full attention to the fundamental causes of deaths in our workplaces. You have to wonder how they can still happen.

That leads me to the second proposition in support of this legislation. After every workplace disaster—including the workplace disaster at Beaconsfield, in which Larry Knight was killed and Todd Russell and Brant Webb miraculously survived due to the efforts of their workmates and the whole community of Beaconsfield—there are the inquiries. On the Beaconsfield disaster, there was one conducted by Greg Melick, Senior Counsel, and the Tasmanian Coroner is investigating the matter again. Each inquiry will make a number of recommendations. We seem to have this utopian assumption that each time that people die and we have an inquiry, we will learn the lessons of the past and somehow safety will progressively improve. Logically, if this is the case, all disasters should ultimately stop. Clearly, though, this is not happening in Australia. You have to ask: why aren’t we learning the lessons of the past?

Research on mining disasters conducted by the AWU and research on the disaster of the Westralia and disasters in Nova Scotia and South Africa—12 different mining wars—dens inquiries, courts of inquiry and royal commissions—reveals not only that the inquiries have a lot in common but that the disasters have a lot in common, regardless of the continent on which or the industry in which they occur. I can predict now that the next inquiry into a tragedy where people are killed will recommend more training and education. I can also predict that the next inquiry into a set of fatalities will predict changes to equipment, standards, processes and the duties of specific personnel on site. Based on what has happened in the past and our health and safety amnesia, I have no doubt that the next inquiry will recommend improved occupational health and safety systems and more government oversight. However, I can also predict with absolutely no fear of contradiction that it is very likely that in the next disaster we see—like all the ones we have seen over the last 100 years of Australian industrial history—there will be no recommendation for legal action against the company or senior personnel and almost none against nominated individuals to be held personally responsible for making sure that the inquiry’s recommendations follow through.

One thing which I will be putting to the new Safe Work Australia is the need to employ more historians, because the lessons
that we will learn in the future are merely those that we have forgotten in the past. Wherever there is an inquiry, in this place or elsewhere, someone should be made responsible for ensuring that, after we hold an inquiry and review the recommendations, in two, three, five and 10 years time, those recommendations are still being honoured. I think that this is a crucial lesson in health and safety.

We know that there is rarely a smoking gun in these disasters—certainly not that I have seen. There is very rarely a single event or a single person at which we can point the finger and say, ‘You did this.’ Blame for the sake of itself is not useful; blame does not bring back the dead. What we need to know is that the recommendations of the next inquiry will be followed through. Someone has to be put in charge whenever problems occur, to evaluate how effective the changes are and to see if the new lessons are working or not, and someone must be available to fix them. I believe there need to be penalties attached if recommendations are not put in place in a timely fashion, to make sense of the useless waste and tragedy of people’s injury and death.

We know, furthermore, that communication is fundamental to the success of all agencies in health and safety. Safe Work Australia itself cannot guarantee the safety of all workers. For instance, look at diazinon. My old union and I argued for 12 years that the chemical diazinon should have no future. It was argued by other interests that diazinon is cheap and effective. Certainly it was never argued that it could be a fatal chemical and it regularly and seriously harmed workers. It was explained to us, ‘But diazinon is the economical product in rural industries.’ It was never explained that it attacks the nervous system, resulting in long-term ill health and sometimes death. We were told that farm workers cannot have the protection against diazinon of putting on a space suit to try and keep diazinon from their skin—‘That’s not the real world of the farm; don’t you understand?’ After 12 years, diazinon was phased out. Yet for more than 30 years before that it had been known that organophosphates—of which diazinon is one and sarin gas is another—are deadly. We know that two-thirds of all occupational fatalities are from chemically related diseases and by far the majority of these deaths happen in regional Australia. Time and time again we see workers harmed and families suffering while those who should know better do nothing.

I believe that Safe Work Australia should have discussions with the chemical manufacturers and should be encouraged to work with the people who work with the chemicals to look at the safest solutions. It comes down to cooperation. It is in the interests of all of us to keep workers and the sectors in which they work, including the agricultural sector, in good health. We need to find more solutions, and we can certainly find more solutions if there is less suspicion and more cooperation and if some people’s knee-jerk fear of trade unions was replaced by a sense of gratitude for all comers who wish to assist in making the place safer. After all, if a chemical can harm a worker, if a chemical can creep in through the most stringent safety measures, it should not even be on the market. It is as simple as that.

Indeed, workers need to feel that they can raise safety issues on a daily basis without fear or favour. They must feel confident that OH&S issues will be addressed by management and that their concerns will be taken seriously and dealt with promptly. I like this legislation because I support the empowerment of workers and the protection of their rights—and the right to a safe workplace should be the first and foremost right. The cost to our economy of work related disease has been estimated at $34 billion per year.
This is an estimation of only the injuries that have been reported. Other speakers in support of this bill have identified the curse of asbestos, and the high tide of death from that disease has not yet fully hit the shores. But it is fair to say that, by the time asbestos has worked its way through the Australian workforce, more people will die of asbestosis and mesothelioma than died in the whole of World War I.

If we look at all the injuries that occurred beyond those dreadful killers that I have already mentioned, I think that we can do a lot better. When we look at the economic costs of workplace injury, death and disease, we see that they are significant losses. But, when we compare them to the costs of those injured and the effect on their families, workmates and friends, the cost is immeasurable. I think of men I have met before explosions and the catastrophic amputations they suffered, people sitting in rehabilitation wards with no legs and people who have had their lungs burnt to within an inch of their life by dirty aluminium smelt, and I can see the cost of what has happened to them, and the cost to their family and friends. I know the father whose child was born on the night that he was on a shift and then came home four weeks later in burns bandages. His child has never seen him in anything other than a full-skin burns suit. I like this legislation because the focus of its reforms is on prevention. We are looking at something which could save the lives of Australian workers who unnecessarily lose their lives every year.

Safe Work Australia will run a communications strategy to raise awareness of health and safety in the workplace and safe practices which minimise harm. It will replace the Australian Safety and Compensation Council, established by the Howard government as an advisory council whose functions were confined to coordinating, monitoring and promoting national efforts on health and safety and workers compensation. This new body will have substantive powers and responsibilities, unlike the previous pale imitation. It will develop national policy relating to OH&S and workers compensation, prepare, monitor and revise OH&S model legislation and develop compliance and enforcement policies to ensure nationally consistent regulatory approaches across all jurisdictions. It will develop proposals relating to the harmonisation of workers compensation arrangements, collect, analyse and publish OH&S and workers compensation data and undertake and publish research. It will develop national communication strategies to raise the awareness of health and safety at work, and it will further develop the National Occupational and Health Safety Strategy 2002-12. It will advise the Workplace Relations Ministers Council on these matters.

We will see review and revision of the effectiveness of the authority within the bill. We will ensure that there is an active body operating efficiently and responsibly in meeting its strategic and operational goals. The Rudd government has set itself the task of creating a seamless national economy, unhampered by unnecessary duplication, overlap and difference. The establishment of Safe Work Australia is an essential part of the government’s strategy to improve safety outcomes and workers compensation arrangements across Australia. This government has undertaken a review of the Comcare scheme, set up an independent panel of experts to undertake a national OH&S review and developed a landmark intergovernmental agreement with our state and territory counterparts to harmonise OH&S laws.

This legislation complements the most valuable tool of all in workplace safety. I would like to report to the House that Bill and Melinda Gates have an idea on the drawing board for little robots to travel the length and breadth of mines, quarries, hospitals and
civil service buildings. Every hour these little robots would send back weak signals—OH&S messages. Rather than an orderly saying, ‘This doesn’t feel right,’ or perhaps a miner saying, ‘That machine is making a noise different to the one that I have heard every other day I have come here,’ or ‘At the start of my shift, this particular shaft of the mine was popping rocks with a different noise to what it has made every other day,’ imagine a computer that could send back weak signals on an hourly basis to the central mainframe of health and safety. Unfortunately, while this may be a good idea, this computer has not yet been invented. It is a shame, because every conscientious and diligent employer that I know—and 99 per cent of employers are, and all of them try to be—would rush to Harvey Norman and buy this software.

These robots are not in the shops; they have not even been invented yet. But they do not need to be invented. What we have every day is the voices, the signals and the knowledge of workers. If we could somehow have a safety system supported by Safe Work Australia that would send the experiences of workers at the workplace and that could be collated by employers who listen—employers who take the time not only to communicate down to their workers but also to listen upwards from their workers—and if we had a system in Australia where bad news in every organisation was as well respected as good news, then I predict that we would often prevent the disaster before it occurred.

We already have some of these systems in place. We have delegates and workplace safety officers, many of whom are union trained. In my experience, some of the finest people I have ever met are workplace safety reps who speak up on behalf of the experiences of their fellow workers, often at cost to their own careers and often at cost to them, being seen as stirrers, troublemakers or bad news operators. I can think of Percy Pillai, Gavin Merriman, Sam Beechey and Dave Healy. All of these people have done much to promote health and safety in the industries I used to organise in. The list could go on to our offshore reps and to every sector of the economy. It is these people who are the frontline of health and safety. I am excited by this bill and its passage through the House and hopefully into law.

I think that this bill, together with respect for the voices of and the experience of working Australians, together with intergovernmental agreement, can usher in a new era of cooperation and collaboration between the Commonwealth and the states in this important area. If we can do nothing else than ensuring that more parents and more families can come home to each other at the end of their shift then I believe that we have done a very good thing in supporting this legislation.

Mr CHAMPION (Wakefield) (7.00 pm)—I rise to support the Safe Work Australia Bill 2008, and I would like to take the opportunity to congratulate the Deputy Prime Minister for bringing the bill before the House. As someone who has worked in many different types of jobs—grape picking and shopping trolley collection, labouring on farms and cleaning offices—all of my personal experiences have taught me the value of a safe workplace. I think the value is not just in the peace of mind of workers not constantly fearing for their safety but also in productivity in the workplace as a whole. A safe workplace is a productive workplace. This is because a workplace injury hurts everyone. It hurts the worker injured, their family, their workmates and their firm’s productivity. It is incredibly unsettling for a workplace to have an accident in it. That is why a government that is serious about a worker’s
safety is a government that is serious about Australia’s economy and its productivity.

This bill is another example of this government taking strong action to keep Australian workers safe and productive. In support of this bill, I wish to discuss the critical importance of improving workplace safety and workers compensation, particularly in the context of intergovernmental cooperation, but I also want to draw on my experience in the retail industry in particular.

More than 300 Australians are killed at work each year, and many more die as a result of work related disease. Each year over 140,000 Australians are seriously injured at work, and the pain and grief caused to friends and family by the loss of a loved one or the injury of a loved one are unimaginable to those who have not experienced it. Similarly, extreme hardship and struggle can follow a serious injury and have far-reaching effects on both the injured worker and their family, on relationships, on job prospects and on income.

There is absolutely no excuse for inaction when it comes to making workplaces safer for employees, and that is why I support the legislation to replace the Australian Safety and Compensation Council, which is a weak body, with the body Safe Work Australia, which has an increased ability to improve safety outcomes and workers compensation arrangements across the nation. The role of Safe Work Australia will include developing national policy, monitoring legislation and codes of practice, developing consistent enforcement policies and, most importantly, raising awareness of health and safety at the workplace level. This will effectively progress the improvement of workplace safety and workers compensation. Safe Work Australia will be a joint effort between both state and federal government. It is an example of cooperative federalism and a key reform area for the government.

Currently, workplace safety legislation frequently varies in structure and detail depending on which state a worker may reside in. This legislation and the Safe Work Australia body will help to nationalise workplace safety standards, eliminating unnecessary overlaps, duplications and inconsistencies in the structure of OH&S and workers compensation legislation. I can remember that, when I worked for the state minister for workers compensation in South Australia, the South Australian parliament had to pass a territorial bill to make sure that South Australian workers had coverage in other workers compensation jurisdictions. This is to prevent situations like that. This bill will also remove the difficulties workers, businesses and government currently experience when they are dealing with legislation that varies from state to state. As a result, it will ensure that employees are entitled to the same standards, hopefully, in workplace safety and remuneration as their interstate counterparts.

Rules are generally only upheld when they are understood. To have national OH&S legislation and workers compensation is to simplify it. This will result in increased public awareness and understanding of the law, making the system easier to follow and more effective. In effect, simplification and a national approach will lead to increased compliance.

Adding to the cooperation between state and federal government, the funding for Safe Work Australia will be evenly divided, with the Australian government contributing 50 per cent of the budget and the states and territories providing the other half, with the contribution of each state and territory being proportional to its own population. So this legislation is economically sound, and it demonstrates a clear partnership between
governments that will benefit the over 3,000 employing businesses based in my electorate of Wakefield. Recently, the Australian Industry Group welcomed the focus of federal and state governments in working together on a system of harmonised OH&S legislation across Australian states and territories, so it is good for business.

This is part of a way of managing Australia’s economy and productivity and, at the same time, protecting the health and safety of workers. I believe the legislation will be a step forward for the government, business and workers and contribute to the government’s plan for a seamless national economy.

There are many references in this debate to heavy industry, building sites and meatworks and many references to asbestos and James Hardie. That is a good thing, but it does tend to obscure some of the other types of workplaces in the nation which are often quite dangerous but not associated with this debate in the popular mind.

Before I entered the House, I had the honour of working as an occupational health and safety officer for the SDA union in South Australia. The SDA has been committed to ensuring that workers are safe when they leave the workplace, as they were when they arrived. The SDA in South Australia has always had a hands-on commitment to safety, working with employers and employees, providing advice and training and, where necessary, being adamant about retail workers’ rights to a safe workplace.

Recently, the South Australian SDA has developed a workplace leadership program which aims to increase the number of health and safety representatives in the retail industry. I wish to recognise the efforts of Peter Malinauskas, the Secretary of the South Australian branch of the SDA, for this initiative. He has been a great leader on safety and other issues in the retail industry. I would also like to commend Reggie Martin, the trainer at the SDA, and Matt Ellis—key people in driving this project.

The retail and fast food industries are far more dangerous than people may realise. Recent statistics from the WorkCover SA Statistical Review showed that wholesale and retail trade employees made up 15.4 per cent of all workers compensation claims throughout 2006-07 in South Australia. These claims totalled $18.52 million in costs. Many young people work in this industry. It is dominated by people between the ages of 15 and 25, and often those workers are exposed to risks that are beyond their experience and beyond what their parents often expect them to face when they are entering work. There is a fairly benign view, I think, of the retail industry, but there are some very serious risks that workers face.

Two of those risks are manual handling and violence in the workplace. One of the emerging manual handling risks concerns the banning of plastic bags in South Australia. Whilst this is an environmentally desirable change to make, it does create new risks for retail workers, for checkout operators in particular, requiring them to lift green bags which are designed for multiple use, are larger than plastic bags, and have a capacity to be almost double in weight. Considering that retail trade employees in Australia make up 16.7 per cent of back injury claims, this does raise serious concerns for the physical health of the workers who will have to lift these bags almost non-stop during their shifts, in some cases, potentially causing injury over time. In addition, the hygiene of these reusable bags cannot always be guaranteed, and I know of many retail workers who have had some interesting amenity issues when dealing with some customers’ bags. I hope that bodies like Safe Work Australia will help to create a framework to address issues like this in a way that is nationally consistent and ac-
knowledges the legitimate concerns of the union and the employees—the people who have to use these bags.

The other major concern for retail workers, which is often not recognised at all in the workplace safety debate, is that of workplace violence. Violence in the workplace can come in a variety of forms, but two of the most common are client aggression—that is, aggression from customers or patrons—and violence associated with robbery, which can include the threat of violence. Reports of workplace violence are particularly common amongst checkout operators and shop managers, as recorded in the WorkCover Statistical Review of 2006-07 and previous years. I think it is the open and accessible nature of retail workplaces which make those working in them extremely vulnerable to robbery, violence and antisocial behaviour. It is difficult to control that open environment.

I know of many incidents in which retail workers have been placed in situations of considerable danger. In one incident in 2004, a shop assistant in Adelaide, in the city’s CBD, was shot dead at her workplace by her estranged partner. It was a really tragic combination of domestic violence and violence in the workplace. It was an incident that led to a great deal of shock, grief and suffering in the workplace, and also for the family. People do not expect to witness that level of violence at work, but in my time as an official with the union there were many examples of violence and antisocial behaviours in retail workplaces, and of robberies. Sadly, that happens around the nation. So, while those risks are not always acknowledged in the debate about workplace safety, they do have a massive impact on people’s workplaces, on their safety and on their lives at work.

Retail, hospitality and industries like that are part of the new economy. They are a growing part of the economy, with thousands and thousands of employees across the country. I guess it is because of risks like these, which are prevalent in the retail industry, that an active national body like Safe Work Australia is needed to provide nationally consistent approaches to safety issues that affect thousands of workers across the country. In my experience in dealing with employers and employees, safety representatives and other unions, the best way to achieve the highest workplace safety standards is by working in cooperation with employees, employers, businesses, unions and government, rather than by confrontation. I found that, in the main, employers would listen to legitimate issues if workers and companies had a dialogue and had an environment where a dialogue was possible, and that that, rather than the old way of confrontation, was a better way.

I think many of the speeches we have heard—in particular, those of the Deputy Leader of the Opposition—were focused so heavily on confrontation that they really missed the importance of this bill. It is a great pity that they could not have brought a bit more goodwill to this debate. The Safe Work Australia Bill achieves a collaborative effort. It allows parties to make significant improvements to workers compensation and to occupational health and safety standards in workplaces across Australia, and I commend the bill to the House.

Mr BRADBURY (Lindsay) (7.13 pm)—I rise in support of the Safe Work Australia Bill 2008. I am pleased to join the debate after the member for Wakefield. I listened with great interest to his comments in relation to occupational health and safety matters affecting workers in the retail sector.

When I consider issues of occupational health and safety, I often reflect on some of the more notorious examples, the more pub-
licised examples, where individuals have suffered at the hands of poor practices within their workplaces. I recall not all that long ago in New South Wales a young man by the name of Joel Exner, who was 16. After just three days on the job, he fell 15 metres through a safety net. He did not have the appropriate harness on and, as a consequence of that, ended up dying. I think about cases such as that and about my experience as a young worker. These laws have a greater impact in particular on young people entering the workforce, often because a combination of not only inexperience but also the youthful zeal that comes with coming on to the job for the first time can encourage you to do things that perhaps are not in the best practice. If there are not appropriate practices in place throughout that workplace, that can lead to very dangerous situations.

I recall my first day on the job when I started work at 14 years and nine months. I worked for Target in the retail sector. I recall very well that one of the first jobs I was given was to go out to the loading dock and to bring in a large trolley that was full of tins of paint into the paint department. I was assigned to the paint department, which was the first port of call for any young male worker that joined the job. As I went into the loading dock, I saw this large cage trolley that had all of these tins of paint precariously balanced on the cage. I heard that I was being called over the loudspeaker to bring the paint to the paint department, so there was a sense of urgency. I quickly pulled the trolley off the lift, which was where it was placed, and as it came off the lift all of the paint tins started to tumble. I was very fortunate because I managed to get out of the way. I ended up with paint all over me, which was a pretty embarrassing way to start one’s working life.

I reflect back on that and I think about how lucky I was in those circumstances: new on the job, eager to impress and eager to do the best that I could but also lacking the experience and the supervision. Had I been Joel Exner, in a different type of workplace with the same lack of supervision, with the same set of circumstances that I have just described, I may not be here today. That is something that has always struck me—that we can be very lucky in life and others can be very unlucky. But these matters really should not come down to luck. It should be a question of all workplaces striving to achieve the greatest level of safety to protect those people that go off to earn a living, as we all are required to do and desire to do throughout our working lives.

The sentiments expressed within this bill, along with the agency that it seeks to construct, are sentiments that would be universally supported in this place. I certainly support them. I think one of the great things about this bill is that not only does it have that real focus on delivering better outcomes from an occupational health and safety perspective but it is also very much focused on achieving that by engaging all of the stakeholders. The body that is proposed is tripartite. Safe Work Australia will have the best of all available perspectives, with employer representatives, employee representatives, the chair, the CEO and Commonwealth and state representatives. I think it essential that we have each of the jurisdictions represented in that way because if we are to achieve uniform national laws in this area then it is going to require that level of cooperation.

In relation to the broader issue of safety at work, I was staggered to see some of the statistics. Some figures indicate that approximately 300 Australians are killed each year at work, but I saw some figures that were cited in an Access Economics report that said a staggering 8,000 or more Australians die each year from work related incidents or illnesses. I suspect the definition there is little
broader but the force of those figures is such that that is a very large number of people throughout our community affected by a lack of safety within their workplace.

Each year over 140,000 Australians are seriously injured at work and 690,000 are injured or fall sick from work related causes—once again, that is taken from the Access Economics report. In NSW in 2006 there were 89 unpaid fines for serious workplace safety breaches, totalling almost $5 million. In the year from July 2006 to July 2007, 162 people died in workplaces, which was an increase of 157 from the previous year. I note that all of the available data indicates that older workers are at most risk when it comes to the workplace, particularly from the perspective of dying, but I acknowledge the point that I made it little earlier and that is that many young people are susceptible to the dangers of an unsafe workplace, largely because of the inexperience that they bring to the workplace.

The Productivity Commission embarked on a fairly wide-ranging inquiry into this area. Their final report was released in September 1995. Work, health and safety: an inquiry into occupational health and safety was a significant contribution to the debate, and I know that the former government, in response to the recommendations of the Productivity Commission, went about the business of setting up the body which this legislation now repeals—the Australian Safety and Compensation Council. The reports on the effectiveness or otherwise of that body have generally drawn the conclusion that that body was a toothless tiger and really was, in a structural sense, incapable of progressing and moving forward the national reform that is required.

I think it is worth making the point that one of the key reasons why this reform is so necessary and so important is that it is a part of this government’s agenda that we move towards a seamless national economy. There is no justification for maintaining separate and different systems of laws in this area, right across each of the jurisdictions in this country. Those anomalies, those anachronisms that exist, are only highlighted and exacerbated by the increasingly global nature of the community that we live in.

One of the areas that I have a particular interest in is road transport and the lack of safety on our roads, particularly for professional motor vehicle and truck drivers. Recently, I spoke in relation to the AusLink bill that was before the House and detailed some of the safety concerns that I have about the various practices of and the demands on people within the transport industry. I thought the member for Makin made a very salient point on this front a little earlier in the debate when he drew attention to the fact that, when it comes to road transport, state boundaries are of lesser significance than in many other workplaces. A truck driver’s workplace is in the cabin of their vehicle, and that may extend beyond the limits of one state, depending on where their pickup point and drop-off point may be. To have separate systems of laws in each jurisdiction not only overcomplicates the situation—we understand that this is a vestige of Federation—but also imposes a significant compliance cost burden on businesses.

This is one of the important aspects that the Productivity Commission report focused on. The report identified that those compliance costs were a real issue, particularly for businesses whose operations extended beyond the limits of one state. Some 39,000 multistate businesses had been identified back when that report was released and the overwhelming consensus of those businesses that participated in the consultation process was that there was a real need to overhaul the existing set of arrangements of various sys-
tems operating in respect of each of the jurisdictions. The cost to the economy was estimated by the Productivity Commission as being in the vicinity of $34 billion a year. That is the cost of a lack of safety in workplaces and the cost of not having uniform legislation with minimal compliance costs. So the costs to our economy are significant. Obviously the focus needs to be on ensuring safety in all workplaces, but that safety need not come at a greater cost than is required. Ensuring that we move towards harmonisation of our laws in this area will take us a long way towards achieving that objective.

One additional point that I would like to make in relation to the issue of business compliance is that, anecdotally in my discussions with various individuals involved in occupational health and safety risk management in industry, I have been receiving feedback that those particular companies whose operations extend beyond the limits of one state invariably seek to try—where a good, law-abiding corporate citizen is involved—to achieve the highest possible standard. They look at the jurisdiction that has the highest standard and they try to meet that across all of their operations. That is a noble objective and one that should be encouraged. The downside is that, if they are competing against other operators that are operating within the limits of only one particular state which may not have the same degree of regulation or which may not require such a high standard of practice, then those competitors may well have a competitive advantage. I do not think anyone in this place would like to see a player within the market having a competitive advantage because they are able to take advantage of lower standards when it comes to ensuring safety within the workplace, but I am advised by those in the sector that is sometimes the case.

I mentioned earlier that the forerunner to this body had been described by various groups as a toothless tiger. The table in section 6 sets out a number of items that identify the various functions that are to be conferred on Safe Work Australia. Item 2 refers to model OHS legislation and outlines the function:

\[\text{... to prepare a model Act and model regulations relating to OHS and, if necessary, revise them:}\]

\[\begin{align*}
\text{(a) for approval by the Ministerial Council; and} \\
\text{(b) for adoption as laws of the Commonwealth, each of the States and each of the Territories.}
\end{align*}\]

Item 3 refers to the model OHS codes of practice; item 5 to policy dealing with compliance and enforcement of approved model OHS legislation; and item 6 to monitoring adoption of approved model OHS legislation in jurisdictions. There are various other items there, but the real focus of this bill and the powers conferred on this new body will be to seriously progress the agenda of harmonisation of laws in the occupational health and safety and workers compensation areas. The former body did not really have the powers to allow it to move forward and progress that agenda. As a consequence of the intergovernmental agreement that was entered into as recently as July of this year between the Commonwealth and the states, we see a newfound impetus to progress that agenda. This bill really does pick up on the various commitments that were given by the parties to that intergovernmental agreement and will hopefully provide the mechanism for progressing that agenda in the not too distant future.

Before I conclude, I just want to reflect on a case that has frequently been brought to my attention in the occupational health and safety context: the Viegas family. As a result of losing her husband just a few years ago, Mrs Viegas has been a tireless campaigner when it comes to occupational health and safety issues. Her husband, a 28-year-old at
the time and a father of two young children, was killed at work. He died after cutting through a live wire at a Central Coast Westfield shopping centre. He had been told that the wire had been disconnected at the power board. Four and a half years down the track, I understand that Mrs Viegas is still campaigning for some justice in her particular case. The harsh reality of those circumstances—the fact that a young father, a young husband, did not return home at the end of his day—and the consequences that obviously flow from it, are something that I am sure the family, even 4½ years down the track, are only beginning to come to terms with.

These are the sorts of very unfortunate, tragic outcomes that can sometimes flow from a lack of safety in the workplace. I certainly hope and believe that the measures contained in this bill will go some way towards making our workplaces safer—first and foremost by giving us as a nation the mechanisms to drive forward with greater uniformity and greater harmonisation of our laws and to extend that harmonisation of laws to workplaces right across this country. Each and every workplace in this country deserves to be as safe as the community deem they should be. It is in that context that I support the bill.

Mr BRENDAN O’CONNOR (Gorton—Minister for Employment Participation) (7.31 pm)—I thank members for their contribution to this cognate debate on the Safe Work Australia Bill 2008. At the outset I would like to remind members that this legislation will give effect to the Intergovernmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety agreed by COAG on 3 July this year. I also note that very little has been said by members opposite about that historic agreement in the course of this debate. The intergovernmental agreement is a watershed in Commonwealth-state relations. For the first time, governments from each state and territory and the Commonwealth have formally committed to the harmonisation of OH&S laws and the implementation of uniform OH&S legislation, complemented by consistent approaches to compliance and enforcement.

The Australian government recognises that occupational health and safety is primarily a state and territory government responsibility and that true reform in this area can be achieved only with the Commonwealth, state and territory governments working cooperatively, as partners rather than as adversaries. The intergovernmental agreement ushered in a new era of cooperation and collaboration between the Commonwealth and the states and territories—a collaboration which will improve the health and safety of workers across Australia and reduce the complexity of regulation for businesses.

All members who have spoken to this legislation have accepted that Australia’s health, safety and compensation systems are unnecessarily complex and costly. Inconsistencies between the jurisdictions mean that some workers are at risk of poorer safety standards than their counterparts in other states. At the same time, these inconsistencies increase the complexity, paperwork and costs for the 39,000 Australian businesses that operate across state boundaries. The establishment of Safe Work Australia is an essential first step towards improving safety outcomes and workers compensation arrangements across Australia. Safe Work Australia will be an independent national body with an inclusive, tripartite membership. It will have 15 members, including an independent chair, nine members representing the Commonwealth and each state and territory, two members representing the interests of workers, two representing the interests of employers, and a CEO. Safe Work Australia will have its own
staff and will operate under the Commonwealth’s accountability and governance frameworks. Safe Work Australia will play a pivotal role in realising the shared commitment of the Commonwealth and all state and territory governments to work together to achieve harmonisation of OH&S laws. It will have the important task of developing a model OH&S act, model regulations and model codes of practice for approval by workplace relations ministers.

The opposition have sought to deflect attention from their own appalling record in the area of occupational health and safety by arguing that Safe Work Australia has been designed to fail in achieving its objectives. They have questioned the composition of Safe Work Australia and the voting rules relating to the model OH&S legislation. They have claimed that the legislation is fundamentally flawed because it creates an imbalance between the representatives of the state and territory governments, on the one hand, and the representatives of employers and employees on the other. They have also claimed that these rules reduce the role and effectiveness of the workers’ and employers’ representatives. Contrary to what the members opposite would have this House believe, Safe Work Australia will be a genuine tripartite body. There will be two employer and two employee representatives on Safe Work Australia. The Commonwealth, states and territories will have only one representative each. With two members each from worker and employer bodies, the social partners will continue to play a significant role in the decision making and effectiveness of Safe Work Australia.

The Deputy Leader of the Opposition contends that government representatives will be able to repeatedly override legitimate concerns raised by the social partners during OH&S harmonisation discussions. Not so. All questions will be decided by a two-thirds majority of the votes of members present and voting at a meeting. In the highly unlikely event that there is a split between the states and territories on the one hand and the employer and employee representatives on the other, the independent chair will have the deciding vote. Questions relating to the model OH&S legislation will require an absolute majority of all voting members who represent the Commonwealth, states and territories. This is as it should be because it is the Commonwealth, states and territories that will be required to enact the model OH&S laws.

What the members opposite have failed to acknowledge is that the composition of Safe Work Australia and the voting rules were agreed by the Commonwealth, state and territory governments as part of the negotiations on the Intergovernmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety. They have conveniently overlooked the commitment demonstrated by the states and territories by negotiating the intergovernmental agreement. They have also conveniently overlooked the fact that the state and territory governments will be contributing 50 per cent of the funding for Safe Work Australia—another example of the cooperative approach adopted by this government. The opposition has also criticised the fact that Safe Work Australia is reliant on the cooperation and participation of the ministerial council to which it is required to directly report. The government makes no apology for this. If Australia is to have a harmonised set of OH&S laws, then it will only do so with the agreement of the states and territories. The ministerial council will have the responsibility to agree, by consensus, to the model OH&S legislation proposed by Safe Work Australia. Unless at least a majority of jurisdictional representatives on Safe Work Australia support the proposed model OH&S legislation, it is unlikely that
the ministerial council would reach agreement by consensus.

The members opposite have also sought to misrepresent the reporting arrangements that apply to Safe Work Australia. Opposition members would have this House believe that the government is unwilling to report back to parliament on Safe Work Australia’s operations—that it would only do so every six years. This completely misrepresents the reporting requirements contained in the legislation, so allow me to correct the record.

The provision latched onto by the members opposite relates to the review of Safe Work Australia’s ongoing role and function after a period of six years. Like any other body established by the Australian government, Safe Work Australia will be required to produce an annual report. This will be the responsibility of the CEO. The CEO will be required to provide an annual report to the minister, to Safe Work Australia and to the ministerial council. The annual report will, of course, be a public document. I am happy to provide an undertaking to this House to table a copy of Safe Work Australia’s annual report.

Occupational health and safety and workers compensation are too important to be neglected any longer. Workers’ lives and health are at stake and so too is the efficiency of our economy. Occupational health and safety and workers compensation reform will increase profitability and productivity and better protect the lives and health of Australians. Safe Work Australia will play a pivotal role in this reform. I therefore commend the bills to the House.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Third Reading
Mr BRENDAN O’CONNOR (Gorton—Minister for Employment Participation) (7.40 pm)—by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

SAFE WORK AUSTRALIA (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2008

Second Reading
Debate resumed from 18 September, on motion by Ms Gillard:
That this bill be now read a second time.
Question agreed to.
Bill read a second time.

Third Reading
Mr BRENDAN O’CONNOR (Gorton—Minister for Employment Participation) (7.41 pm)—by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

SAME-SEX RELATIONSHIPS (EQUAL TREATMENT IN COMMONWEALTH LAWS—GENERAL LAW REFORM) BILL 2008

Second Reading
Debate resumed from 4 September, on motion by Mr McClelland:
That this bill be now read a second time.

Ms LEY (Farrer) (7.41 pm)—I am pleased to speak on the Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill 2008. This is the omnibus bill seeking to implement the removal of those aspects of discrimination identified in the Human Rights and Equal Opportunity Commission’s Same-sex: same entitlements report that were not...

This suite of bills has continued the process of removing discrimination against same-sex couples in Australian laws that was begun by South Australian Liberal MLC the late Murray Hill in 1972. While noting that the opposition have referred the bill to the Senate Standing Committee on Legal and Constitutional Affairs for consideration, we completely support the principles that underpin this suite of legislation. In speaking on the Same-Sex Relationships (Equal Treatment in Commonwealth Laws—Superannuation) Bill 2008, the member for Sturt noted that the federal platform of the Liberal Party of Australia has for many years ‘condemned narrow prejudice as an enemy of liberalism and commits its members to oppose discrimination based on irrelevant criteria’.

The bill seeks to make amendments to 68 pieces of Commonwealth legislation. Certain key concepts and definitions are common to them. The intention is to treat same-sex couples and their children on the same basis in Commonwealth legislation as heterosexual de facto couples and their children. The principal mechanism for the amendments in this bill as far as de facto relationships are concerned is the Acts Interpretation Act 1901. For the purposes of the Acts Interpretation Act, a person will be a de facto partner of another person, whether of the same or opposite sex, if the person is in a registered relationship with the other person or is in a de facto relationship. A registered relationship is one registered under a prescribed law of a state or territory. A de facto relationship, under the Acts Interpretation Act, exists between two people who are not legally married to each other, are not related by family and have a relationship as a couple living together on a genuine domestic basis. There are a number of criteria upon which the de facto status of the relationship is determined. Examination of these criteria is unnecessary if a relationship is registered under the appropriate state law.

The definition of ‘child’ is amended in a number of pieces of legislation. The formula of ‘product of the relationship’ is used to describe children. This is a description that has attracted criticism both in this place and during the Senate committee hearings on the Same-Sex Relationships (Equal Treatment in Commonwealth Laws—Superannuation) Bill 2008. The full definition reads as follows:

… someone is the child of a person if he or she is the product of a relationship the person has or had as a couple with another person (whether of the same sex or a different sex). For this purpose, someone cannot be the product of a relationship unless he or she is the biological child of at least one of the persons in the relationship or was born to a woman in the relationship.

This is an expansion of the legal concept of a natural child of a couple, and it is only right and proper that the matter be considered in detail through the Senate committee process.

Although some people have been complaining that the opposition has been delaying the passage of these bills by reference to the committee, the evidence before the committee has indicated that there are concerns from across the spectrum of all interested parties as to the terminology used in respect of children. Clearly, the reference was appropriate. Further, it is a great stretch to accuse the opposition of using the reference to a committee as a delaying tactic. In fact, this is clearly not the case. The committee will be reporting on 30 September. This is a very expeditious result, given that this bill was only introduced into the House on Wednesday, 3 September. I would particularly like to congratulate opposition Senators Trood, Barnett and Fisher for their work in
ensuring that the business before that committee was carried out with such efficiency.

In the Attorney-General’s second reading speech he admitted his awareness of some criticism of the bill’s approach in this area. His response was:

… without it there is a risk that we will not recognise all children in same-sex families. Whatever people’s views are, I am sure they will agree that children should be treated equally wherever they may be in Australia and irrespective of the relationship of their parents.

We in the opposition unreservedly support that principle, and we look forward to the Senate committee’s report on their considerations of the matter.

In relation to stepchildren, the bill expands the definition of ‘stepchild’ to include a child of an opposite-sex or same-sex de facto partner by a previous relationship. The current meaning of stepchild only applies to the child of a husband or wife by a previous union. The bill makes further amendments to remove discrimination against the surviving partner in a same-sex relationship by replacing the term ‘widow or widower’ and instead referring to a ‘surviving spouse or de facto partner’. The bill deals with other family relationships, such as brother, aunt or grandparents, to ensure that family relationships will be recognised in same-sex couple families in the same way they are recognised in opposite-sex couple families.

The opposition notes with concern that amendments to the Migration Act that form a part of this bill seem likely to permit gay marriages contracted overseas to be recognised as marriages for the purposes of couples’ visas under regulations to that act. This comes in direct contravention of the words of the Attorney-General in his second reading contribution. The policy of both sides of parliament on marriage is very clear. It reflects the widely held view in the community that marriage is between a man and a woman, and it is defined as such in Commonwealth legislation.

The Attorney-General is right when he says that removing discrimination against same-sex couples does not undermine marriage. However, the Attorney-General would seem to be mistaken when he says that this legislation stops short of redefining marriage—at least as far as the Migration Act is concerned. We expect that the Senate committee will deal with this matter, and the opposition certainly reserve their position in relation to any potential amendments that the Senate committee might propose.

Liberalism is a philosophy that celebrates individual freedom and choice. It abhors discrimination. As was said on 4 June in relation to the same-sex superannuation bill, the bills are long overdue—a situation for which both sides of this House must accept responsibility. The opposition welcomes this bill. The opposition supports the principles underpinning this bill. The opposition is eager to end injustice and discrimination against same-sex couples in Australia. However, the opposition strongly support marriage as an institution of special importance to our society and we will ensure that the sincere questions we hold with respect to this bill are fully examined through the Senate committee process.

On behalf of the opposition, therefore, I move:

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

(1) affirms its commitment to the central importance of the institution of marriage to Australian society;

(2) nevertheless recognises that partners in same-sex relationships ought not to be discriminated against on the basis of their sexuality, and ought to be treated on a similar ba-
sics to partners in heterosexual de facto relationships;

(3) recognises the right of children who live in same-sex households not to be discriminated against; and

(4) notes that the Opposition has referred the bill to the Senate Legal and Constitutional Affairs Committee for reporting by September 30 with a view to ensuring that, in removing discrimination against people in same-sex relationships:

(a) the centrality of marriage is not devalued, whether by the use of inappropriate statutory language or otherwise;

(b) there is no unintended recognition of same sex marriage, including through amendments to the Migration Act 1961;

(c) the rights and status of children are properly protected; and

(d) the rights and status of people in interdependent relationships other than same-sex relationships are recognised and properly protected”.

I reaffirm the opposition’s support for the bill and I commend the amendment to the House.

The DEPUTY SPEAKER (Hon. DGH Adams)—Is the amendment seconded?

Dr Stone—I second the amendment and reserve my right to speak.

Mr TURNOUR (Leichhardt) (7.51 pm)—I rise today to support the Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill 2008. It is an honour to be the first member of the government to speak on this bill. I have a large gay and lesbian community in my electorate of Leichhardt and I know that they welcome this legislation. I was pleased to hear the member for Farrer support this legislation in principle, but I must admit that I am surprised, and I am sure members of the government will be surprised, that this legislation has been referred off to a Senate committee, particularly given the fact that we have a new Leader of the Opposition who, I would have thought, would have been here tonight representing that side of the House, the Liberal Party, and putting very firmly his views in relation to this legislation.

We need to remember that when the government brought forward the legislation in relation to superannuation earlier in the year, it was the former Leader of the Opposition, Dr Nelson, who was the first speaker on this issue and who put forward the opposition’s point of view. Like me, the member for Wentworth, the new Leader of the Opposition, also represents a large gay and lesbian community in his electorate. He has communities such as Kings Cross, Darlinghurst and Paddington in his electorate. These communities are very well known within this country for having large gay and lesbian populations, and I would have thought that the member for Wentworth, the new Leader of the Opposition, would have taken a note from the former Leader of the Opposition and been here tonight to represent his constituents and show some leadership for his side of the parliament. We also need to remember very clearly his position prior to the last election when he was concerned about his seat. Where is the person who, before the last election, was jumping up and down and saying that he would fight for equality for gay and lesbian people until justice was done?

Now, after the election, we are here tonight debating this important legislation and we hear that the opposition is going to send it off to a committee. I think that constituents in the member for Wentworth’s electorate will be very disappointed with the position that he has taken this evening. I think they would be asking themselves about some of the deals that might have been done in the background in terms of his securing his position as the Leader of the Opposition—some of the deals that he might have done with some in the right wing in the New South Wales part of the Liberal Party.
I was very disappointed to hear the member for Farrer tonight, rather than supporting this legislation, basically getting wishy-washy and incorporating marriage issues in this legislation. This legislation has nothing to do with marriage. The Labor Party have made it very clear that we are not looking to change the definition of ‘marriage’ in the Marriage Act in relation to this legislation. We are about making sure that people in same-sex relationships get a fair go, and it is very clear that the Leader of the Opposition, the member for Wentworth, who has a very large gay and lesbian community in his electorate, is not here tonight to say what he is doing; he is out the back, no doubt talking to members of his party about how they are going to shuffle this out and play some politics around marriage in terms of this legislation. I was very disappointed to hear that this was going to be handed off to a Senate committee.

After just 10 months the Rudd government is delivering much-needed reform to remove discrimination from federal government laws against those in same-sex relationships. Twelve years of inaction by the Howard government will be washed away by these laws and finally some justice will be delivered to those in same-sex relationships.

Article 26 of the International Covenant on Civil and Political Rights states:
All persons are equal before the law and are entitled without any discrimination to the equal protection of the law.
In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground ...

This is a United Nations treaty based on the Universal Declaration of Human Rights, implemented and supervised internationally by the UN Human Rights Committee. It is considered by many to be one of the most important human rights treaties in the world. I am delighted to stand here today to support the bill being introduced by the Rudd government. It will help to ensure that Australian legislation reflects the sentiments contained in this article. The Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill will end discrimination against same-sex couples and the children of same-sex relationships in a wide range of Commonwealth laws.

Australia is the lucky country. We live in a healthy democracy, we have a strong human rights record and we have freedom of speech and freedom of press. But our nation’s treatment of same-sex couples is unacceptable. In the eyes of the Commonwealth law, they are not recognised. As a country, we still have a way to go to ensure equality for all of our residents. The legislation introduced by the Rudd government, being driven by the Attorney-General, the Hon. Robert McClelland, is well and truly overdue. This legislation will not be without controversy. It is important that we remember this is not about special rights for same-sex couples; it is about ensuring that all couples have equal rights to the same entitlements and benefits. This is a basic human right.

This bill introduces the second part of the Rudd government’s historic reforms to amend laws that discriminate against same-sex de facto couples and their children. Earlier this year, legislation was introduced in the House to eliminate discrimination against same-sex couples and the children of same-sex relationships in acts when it comes to superannuation, including the payment of superannuation benefits upon the death of a scheme member and in related taxation treatment of superannuation benefits. The former Leader of the Opposition, Dr Nelson, was here to put the opposition’s response to that, but we do not see the member for Wentworth tonight. We do not see the new Leader of the Opposition—somebody who repre-
sents very large gay and lesbian communities in this country—here tonight. The bill I rise to support tonight will build on our earlier legislation and will amend a further 68 Commonwealth laws. Taxation and social security, immigration, health and aged care, and veterans entitlements are just a few of the areas that will be reformed. It is certainly important legislation that will have widespread implications, and it is a positive step forward not only in our legislative framework but for our country in embracing the differences in our community.

Before I go on to outline some of the more technical aspects of this legislation, I would like to commend my parliamentary colleague and our nation’s Attorney-General, the Hon. Robert McClelland, for his leadership on this issue. He has acknowledged the shameful delay—that it has taken so long for a government of either side to take the necessary action to remove same-sex discrimination. As the Attorney-General highlighted in his second reading speech, it is almost 20 years since ‘sexual preference’ was added as an additional ground of discrimination under the Human Rights and Equal Opportunity Commission regulations. In 1997, a Senate committee identified discrimination in Commonwealth laws and programs regarding tax and superannuation benefits. In 2004, Australia was found to be in breach of the International Covenant on Civil and Political Rights regarding veterans entitlements, denying benefits to a person on the basis of their sexual orientation. After being appointed to office, the Attorney-General commissioned a whole-of-government audit of Commonwealth legislation. He has considered the Same-sex: same entitlements report released in May last year by the Human Rights and Equal Opportunity Commission and has acted on the findings. He has coordinated over 19 government departments to bring us to this point—a significant undertaking. So it is with great pleasure that I stand here tonight to speak about this historic legislation that has been introduced, and I thank Mr McClelland for his effort to date.

Often we stand up in this place and talk about legislation that impacts on the community, and it does trickle down and impact on individuals within the community, but there are individuals out there tonight—who are listening to this broadcast and who will read the comments of members on this and the other side of the House—who will be directly affected by this legislation and will directly benefit from these changes. It is a great honour as a member of parliament to be able to stand up and know that, in making your decision, in casting your vote, you can impact directly on individuals’ lives. This will directly impact same-sex couples, many of whom have been living in relationships for well over 20 or 30 years. They will benefit from this legislation that recognises their rights as for other de facto couples. I am very proud to be a member of the Rudd government that is bringing this legislation forward and I congratulate the Attorney-General for the work he has done.

The passing of this bill will remove discrimination by amending a number of different definitions across Commonwealth legislation. The major amendments include changing the definition of ‘de facto partner’. The bill includes a new definition for the term ‘de facto partner’. De facto partnerships will encompass parties in relationships whether they are of the same or different sexes; it will be gender neutral. The new definition will be included in the Acts Interpretation Act and will become the standard definition for most Commonwealth laws.

The other major amendment includes changing the definitions of ‘child’ and ‘parent’. This bill will remove discrimination by altering the definition of a child. The term
will include a child who is the product of a relationship where one partner is linked biologically to the child or where one partner is the birth mother of the child. By applying this definition, opposite-sex and same-sex families are treated equally. The definition of ‘parent’ will also be expanded where appropriate to include the parents of children of same-sex couples. This ensures that both members of a couple are recognised as parents of a child where that child is the product of the relationship.

The amendments contained in this bill are vital. At present, same-sex de facto relationships are not recognised in a number of Commonwealth laws which already provide recognition for opposite-sex de facto relationships. This is quite simply unjust. Until the amendments are passed through parliament, the same-sex partner of a person and that couple’s child will not be able to access the same treatment in the 68 laws outlined within the bill that is currently afforded to opposite-sex de facto couples in the same circumstances.

Another major feature of this bill which is important to note is that it will remove marital status discrimination in a number of Commonwealth laws. I disagree with the case being put forward by many members opposite that these changes undermine the institution of marriage and the family unit. But I wish to make it clear that this is not about marriage. As I have said: this is not about marriage; it is about giving people in same-sex relationships a fair go. It has never been Labor policy to change the definition of ‘marriage’ in the Marriage Act. It cannot be ignored that opposite-sex de facto couples represent a growing proportion of our population, and it is unreasonable that they do not have the same rights as a couple who are married. So it is the discrimination against people in same-sex and opposite-sex de facto relationships that we want to fix.

I agree with the Attorney-General’s sentiments that it is hard to believe that for almost 24 years it has been lawful to discriminate against a person on the basis that they are or are not married. This bill will amend some laws that treat people in the same circumstances differently based on whether they are married or not. For example, a widow—a woman who has lost her husband—may be entitled to government benefits. Presently, benefits are payable to a woman only if she was married. If she was a de facto partner, she is not entitled to the same benefits. The bill will replace the term ‘widow’ with ‘surviving spouse’ or ‘de facto partner’.

The Rudd government has also moved to alter the treatment of de facto relationships. Changes in the Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008 will allow opposite-sex and same-sex de facto couples to access the federal family law courts on property and spouse maintenance matters. This same-sex relationships bill will impact on 68 Commonwealth laws, as I have said. I will take just one piece of legislation that will change as a result of this bill as an example. It relates to medical benefits, so it is a clear illustration of the importance of passing this bill. Presently, same-sex couples have to spend more than opposite-sex couples on medical expenses to enjoy the Medicare and PBS safety nets. This bill seeks to amend the Health Insurance Act 1973, a piece of Australian law that regulates the payment of Medicare benefits. This act stipulates the persons who are eligible for Medicare benefits, the arrangements for safety net entitlements and the rules in relation to the provision of services that attract Medicare benefits. The passing of this same-sex relationships bill will mean same-sex de facto partners and their dependent children can register as a family for the purposes of Medicare safety nets.
As I have said, this is about making sure people in same-sex relationships get a fair go. We are not talking about changing the Marriage Act. We are not talking about changing the definition of marriage. It is about playing politics when you start going down that track. The Labor Party and the Liberal Party have the same policy on this, but we want to make sure we give people in same-sex relationships a fair go. The members opposite need to think very carefully about whether they are choosing to play politics on this and whether they want to go down this track, particularly given they have a new Leader of the Opposition who I would have thought would have wanted to distance himself from the Howard years and some of the policies and responses we have seen in relation to this sort of legislation in the past.

As I said, I have a wonderful gay and lesbian community in Cairns. Same-sex partners are members of my community and many of them are friends of mine. I am proud to stand up here and support this legislation that is going to benefit many of those individuals in my electorate. Last weekend my local gay community held the second Tropical Pride Festival in Cairns. Over 1,500 people came along and celebrated as part of the Tropical Pride Festival. There was an awards night on the Friday night and, over the weekend, people participated in the parade of lights as part of Festival Cairns. On Sunday, there was a fair at the Tanks. I had a stall there that enabled people to find out more about this legislation. We provided them with the Attorney-General’s second reading speech. I was disappointed that I could not stand up here last week and make this speech so that I could hand it out on the weekend, but I was proud to be there to support the local community.

The aim of this event is to bring the local lesbian, gay, bisexual and transgender community together and also to enable the general Cairns community to better accept and understand their lifestyles and choices. I want to congratulate members of the community for organising the event. I was pleased to support the event with a stall at the fair on Sunday. The organising committee need to be congratulated for the work that they do.

There are some great leaders within the gay and lesbian community in Cairns, and the importance of the same-sex legislation presently before parliament is best summed up in a quote that Amanda Dean, the health promotion officer at the Queensland Association for Healthy Communities, based in Cairns, gave me. They are a wonderful organisation that provide great leadership and great support within their community. The quote comes from their CEO, Paul Martin, who says:

To improve the health and wellbeing of LGBT people, we need to reduce stigma and discrimination. Legal recognition of same sex relationships is part of treating everyone equally and with dignity, and building a socially inclusive Australia.

I cannot stress how important this bill that I am supporting today is to my local constituents, and I believe that quote sums up my, and many in the community’s, sentiments perfectly.

The Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill is an important piece of legislation. It is the right thing to do. It means a new standard of fairness and consistency in Australian law. I am proud to be part of a government that will end discrimination in 68 pieces of Commonwealth law. As found by the Human Rights and Equal Opportunity Commission, it is not good enough that more than 20,000 same-sex couples experience systematic discrimination on a daily basis; it is not good enough that same-sex couples and their families are denied financial entitlements and benefits; and
it is not good enough that same-sex couples are not able to receive tax concessions that opposite-sex couples can. The Rudd government’s action to introduce this legislation will seek to rectify this.

This bill builds on our bill introduced earlier this year regarding the treatment of same-sex couples when it comes to superannuation, and it builds on our Family Law Amendment Bill, which is also presently before the parliament. That bill will allow opposite-sex and same-sex de facto couples to access the family law courts on property and spouse maintenance matters. Unlike the opposition, we are committed to stamping out discrimination against same-sex couples. I was very concerned by what I heard this evening in relation to these bills. We are committed to ensuring that people in same-sex relationships get a fair go, and we are working hard to ensure this. We committed to this before the election and we are delivering on that commitment within 10 months of being elected. I am very proud to be part of the Rudd government, delivering on its election commitments again. I urge the House to support this bill and I commend it to the House.

Mr GEORGIOU (Kooyong) (8.09 pm)—I wish to speak in support of the Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill 2008. This bill reforms federal law to remove discrimination against same-sex couples and their families. This phase of the process of reform commenced in May this year, with the Same-Sex Relationships (Equal Treatment in Commonwealth Laws—Superannuation) Bill 2008. This dealt only with the issue of superannuation. I supported that bill and I welcome the government’s commitment to end discrimination against same-sex couples in other areas of federal law. I am pleased that this additional and significant instalment has been introduced so promptly.

The impetus for the reform process was the Same-sex: same entitlements report by the Human Rights and Equal Opportunity Commission. This report resulted from a 14-month inquiry into whether Australia’s laws relating to financial and work related entitlements complied with our human rights obligations with regard to same-sex couples and their children. The inquiry found that 58 federal laws relating to financial and work related entitlements discriminated against same-sex couples. Subsequently, an audit by the Attorney-General’s Department requested by the Attorney-General, which covered non-financial areas, identified approximately 47 additional pieces of discriminatory legislation.

Our laws discriminate against same-sex couples and their families in all areas of life and in all manner of everyday experience. The areas affected include employment, health, aged care, immigration, taxation, social security, family law and superannuation. Same-sex couples do not receive the same tax concessions as opposite-sex partners. They cannot register for the Medicare and PBS safety nets as a couple or, if they have children, as a family. They are not treated equitably as regards social security assessments. They are denied the usual guarantees to some of the minimum workplace conditions, such as parental and carers leave. The impact is that gays and lesbians—thousands of them—are denied rights and opportunities that are available to their fellow citizens. This differential treatment is unreasonable and it is unfair. It is inconsistent with the fundamental values we espouse as a nation and it has persisted for too long. HREOC concluded that the discrimination manifest in federal law breaches the most fundamental of all human rights principles: the right to nondiscrimination and to equality before the
law and the protection of the best interests of the child.

The Howard government committed itself to review the commission’s recommendations and to confer with interest groups in preparing its response. In the election campaign we put forward a policy which extended death benefits to same-sex couples under the Commonwealth Superannuation Scheme. This policy accorded with the federal platform of the Liberal Party, which commits it to oppose discrimination based on irrelevant criteria. We never implemented that policy because we lost government, but this bill addresses the same issue. It addresses the elimination of discrimination based on irrelevant criteria, and I support it strongly.

This bill addresses the unequal treatment of same-sex couples by basically implementing the solution recommended by HREOC: changing the relationship definitions that currently exclude some same-sex partnerships. The commission recommended retaining current terminology insofar as possible while redefining it to include same-sex couples. As the explanatory memorandum states: The general approach taken by the Bill is to extend the existing meaning of these terms to include same sex relationships.

The bill adds a new standard definition of ‘de facto partner’ to the Acts Interpretation Act 1901, extending it to include same-sex de facto relationships. Where appropriate, it also amends existing references to ‘de facto’ or ‘unmarried couple’ relationships so that they encompass both opposite- and same-sex couples. The bill extends what are mostly financial and work related rights to existing parent-child relationships to accord with the fundamental principle that all children should have equal rights under the law. Where appropriate, the bill extends the definition of ‘child’ to provide legal recognition of the child-parent relationship in same-sex families in cases where it did not previously exist. This recognition will also be extended to the stepchildren of de factos. Under current law, only the stepchildren of married couples are recognised. The amendments in this bill expand existing definitions of ‘step-child’ and ‘step-parent’ to include the stepchildren of de facto couples. This change applies equally to same-sex and opposite-sex de facto couples.

This bill removes discrimination against same-sex couples and their families across a wide spectrum of federal government activity, including health, social security, education, tax, defence and veterans affairs. I cannot do justice to all these amendments in the time permitted, but it is important to take a measure of the consequence of this new equality for people’s lives. In the core area of taxation, for example, there can be no justification for inequality. As a submission to the HREOC inquiry stated:

If we are to pay the same tax as our heterosexual and de facto fellow citizens, we should be entitled to the same privileges.

Yet, in the tax area, HREOC established that same-sex couples are ineligible for a range of tax concessions and rebates currently enjoyed by opposite-sex de factos. Despite meeting all the other criteria, a same-sex couple is not eligible for the dependent spouse tax offset. In 2007-08, the maximum amount that could be claimed for this was $2,100. Similarly, a member of a same-sex couple is unable to access the tax offset for supporting their partner’s parents. This can amount to a maximum of $1,540.

In the area of health, same-sex couples and their families cannot register as such for the Medicare and PBS safety nets. This financial disadvantage is compounded by the fact that same-sex couples and their families also do not qualify for the medical expenses

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tax offset. This bill will rectify these inequalities.

In the area of employment, this bill amends the Safety, Rehabilitation and Compensation Act, which governs federal employees’ workers' compensation. Under the current law, same-sex partners of workers covered under Comcare do not receive lump sum death benefits upon the death of their partner. Similarly, the ordinary consideration that would be taken of the employee’s dependent spouse and children in a determination of a compensation payment may well fail to apply. The amendments made by this bill will redress this situation.

I think it is important that we note that the amendments required to remove discriminatory treatment from the Workplace Relations Act that affect entitlements to parental, carers and compassionate leave are not part of this bill. But the government has committed to incorporating the necessary changes within the industrial relations legislation it plans to introduce later this year.

In the area of aged care, same-sex couples face considerable financial hardships when one member of the couple enters permanent residential care—a hardship which would not apply to opposite-sex couples in like circumstances. This is particularly the case when a same-sex couple is faced with the prospect of paying an accommodation bond. Accommodation bonds can involve large sums of money. The amount payable for them is not fixed; the amount depends on the assets of the person entering aged care. For many couples, their home is their main asset. The Aged Care Act provides that, if one member of the couple enters aged care and the other member of the couple continues to live in their home, the value of the home is not included for the purposes of the asset test. As same-sex couples are not currently recognised under present definitions, an elderly same-sex couple is unlikely to benefit from this exemption. Their home will usually be counted in the assets test. Potentially, this discrimination could result in a same-sex couple losing their family home despite it still being occupied by a member of that couple. This bill amends the Aged Care Act to terminate this discrimination.

I think it is important, while we are talking about equality, to face the fact that equality can also result in less favourable financial impacts. Every person who enters residential aged care must pay a basic daily care fee, the amount of which is determined by an income test. For legally recognised couples, the income test takes into account the income of each member of the couple, adding them together and then dividing that by half. However, as a same-sex partner is not recognised as a partner, only the income of the partner entering residential aged care is included in the income test. As a single income would often be less than the income of a couple, a same-sex couple may find themselves at a disadvantage when compared to an opposite-sex couple in the same situation.

Similarly, equity with opposite-sex couples in the area of social security will have both positive and negative financial consequences for people in same-sex relationships. There are some social security payments, such as the bereavement and widow allowance, for which same-sex partners are ineligible because the Social Security Act does not recognise their relationship. The bereavement allowance provides people with low incomes and few assets a living allowance for up to 14 weeks following the death of a partner. The widow allowance supports women born before July 1955 who have lost a partner late in life and who are without any recent work experience. Same-sex partners also cannot receive the healthcare concessions that ordinarily flow to the dependent partners of social security concession card holders.
holders. These cards provide benefits such as discounts on PBS medicines and access to bulk-billed doctors appointments. This bill will address these inequities.

Finally, in the area of veterans affairs, the same-sex partner of a veteran is not eligible to a range of entitlements available to the opposite-sex counterparts. In the case of a war widow or widower pension, to take just one example, this discrimination results in a financial disadvantage of over $500 per fortnight. Even if the surviving partner of a veteran meets all other criteria, they remain ineligible for the entitlements given to opposite-sex partners in the same circumstances because the current legislative definition of ‘partner’ or ‘member of a couple’ denies them recognition. The injustice of such discrimination is poignantly illustrated by testimony given before the HREOC inquiry.

I note that the Attorney General, in his second reading speech, has dismissed requests that the reforms be extended to embrace interdependent couples. I believe that a number of the reasons that he advances for this limitation are not well based and stretch the imagination. Nonetheless, I believe that it would be wrong not to support this bill because of his arguments with respect to interdependent couples.

The bill has been referred to a Senate committee, where it will be considered alongside the Same-Sex Relationships (Equal Treatment in Commonwealth Laws—Superannuation) Bill 2008. I had hoped that this bill would have been passed prior to 1 July, and I would now urge the Senate to consider and pass these two bills as quickly as possible.

In conclusion, I regard the reforms contained in this bill as long overdue. Debates over wording and semantics have preoccupied us for far too long. There is no objective or just reason why these financial and work related rights should be denied to people because of their sexual orientation. The reforms will provide greater dignity and equality to many thousands of Australians. I commend the bill to the House.

Mr NEUMANN (Blair) (8.25 pm)—I acknowledge the contribution made by the member for Kooyong. He has a deep understanding of these issues and has campaigned long and hard on them in the past. I pay my respects to him and express my admiration for him for the lonely task that he has undertaken for so many years. Unfortunately, I never had the same faith in the Howard government that he obviously had during his many years sitting on the backbench. In 2002, the Howard government came to an agreement with the various states and territories on family law reform and made announcements in relation it. But what when it came to helping those in same-sex or de facto relationships to gain rights of property settlement and spousal maintenance, the Howard government simply did nothing during all those years. It has been left to the Rudd Labor government to introduce legislation in that regard, which it did just a few weeks ago. That is compelling evidence of the failure of the Howard government on law reform concerning same-sex and de facto relationships. That says it all, despite the valiant attempts by the member for Kooyong and other small ‘i’ liberals in the Liberal Party.

I speak in support of the Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill 2008. It is the second phase of the Rudd government’s commitment to legislate so that all Australians and their children are treated equally in the eyes of the law. The first phase of this reform, the Same-Sex Relationships (Equal Treatment in Commonwealth Laws—Superannuation) Bill 2008, was considered in June 2008. This bill re-
ceived frustration and obstruction in the Senate from those opposite. They raised concerns about marriage and interdependency, yet the bill was effectively about children and partners in same-sex relationships receiving Commonwealth superannuation scheme entitlements—reversionary benefits in circumstances where there was suffering due to the loss of a partner or parent and all the tragedy that that brings. The first bill ensured that those people who were struggling with that loss would be provided for financially. It is difficult enough to cope with the loss of a loved one or a parent, let alone have to worry about financial security and safety.

The first and the second phases of this legislation are not about marriage, gay adoption, gay IVF or civil unions. They do nothing to denigrate the institution of marriage. Mr Deputy Speaker, you might wonder why I am talking like this. I saw the list of speakers from the opposite side and remembered that a number of them had spoken on the first bill when it was before the House. You would have thought that the floodgates were opening and marriage was under attack—the thin end of the wedge. It was nothing of the sort.

There is bipartisan support for the classic high definition in the Marriage Act and the Family Law Act for marriage. It is the union of a man and a woman voluntarily entered into for life. That is what the Family Law Act and the Marriage Act say—a formal monogamous heterosexual union for life. That is our position and the position of those opposite.

We know that, despite the legislative definitions in the Family Law Act and the Marriage Act, and despite the empowerment of the courts with legislative definitions about preserving and protecting the institution of marriage, the reality of human existence is that people break up. That is a fact. In my research into this particular area, I looked at ABS data, I looked at information from Relationships Australia, and I looked at information from the Australian Institute of Family Studies and my own experience as a family lawyer working in this area for nearly a quarter of a century. About 30 per cent of first marriages fail, often within the first five years of the union. Second and subsequent marriages are more likely to fail, perhaps as many as one in two. So marriage itself is a very uncertain thing. Those of us who wear a ring on our finger know how difficult married life can be. This particular bill—

**The DEPUTY SPEAKER (Hon. DGH Adams)**—Order! The debate is interrupted in accordance with standing order 34. The debate is adjourned, and the resumption of the debate will be made in order of the day for the next sitting. The member will have leave to continue speaking when the debate is resumed.

**PETITIONS**

**Mrs Irwin**—On behalf of the Standing Committee on Petitions, and in accordance with standing order 207, I present the following petitions:

**Rail Infrastructure**

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

This petition of Adelaide residents draws to the attention of the House the Labor Party's 2007 Federal election commitment of implementing within six months of taking office a feasibility study into moving freight trains entering Adelaide from the existing Adelaide Hills line to a new line north of Adelaide.

We the undersigned ask the House to call on the Federal Government to honour its commitment and commence by the end of May 2008 a feasibility study to investigate:
- The viability of the current rail line versus alternate route solutions;
- Available alternate route options;
- The impact of the existing rail line upon surrounding residents, including noise and health issues; and
- The impact on the rail network to the north of Adelaide.

by Mrs Irwin (from 267 citizens)

Khat

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

This petition of the East Africa Women's Foundation Inc and certain citizens of Australia Draws to the attention of the House: that Khat is a psychotropic drug containing cathinone and cathine and its use is addictive and destructive.

Khat impacts on users and their families by increasing poverty, creating financial hardship, causing family break downs, and increasing domestic violence and the neglect of children.

Khat use can induce anti-social behaviour. The plant gives users a rush, mild euphoria and sometimes hyperactivity or manic behaviour. Users can become violent or aggressive. The use of khat is blamed for destroying the fabric of many Somali families. We are concerned about the spread of Khat in Australia, especially young people.

Khat affects the users' ability to work. Users chew Khat for long hours during the night and then can't sleep at night. If they are tired, users cannot support their families. Users neglect their duties and responsibilities as parents or guardians. Users influence younger members in the community to use Khat.

Khat is linked to many medical problems including gastrointestinal and cardiovascular disorders and can induce psychiatric symptoms. Use of Khat has been associated with psychoses, depression, self-neglect and anti-social behaviour.

Khat remains legal in Australia even though the import, sale and use of Khat is illegal in many other countries including United States of America, Denmark, Finland, Germany, Norway, Sweden, New Zealand and Canada.

We therefore ask the House to: Prohibit the sale, distribution, use, importation and production of Khat in Australia.

by Mrs Irwin (from 1,087 citizens)

Philippines: Social Security Agreement

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

This petition of certain citizens of Australia draws the attention of the House that Filipinos are a recently arrived migrant group totalling more than 160,000 across the country who easily integrate into Australian society, are willing to contribute to the community and participate in the workforce but often family ties and responsibilities necessitate occasional return to the Philippines.

In recognition of the contribution made to Australia and the continuing strengthening of ties between our two nations we therefore ask the House to establish a Social Security Reciprocal Agreement between Australia and the Philippines.

by Mrs Irwin (from 14 citizens)

Age Pension

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

This Petition Of Certain Citizens Of Australia, who reside at Cumberland View Retirement Village, Wheelers Hill Victoria, Draws the attention of the House to the inadequacy of the Age Pension to provide a decent standard of living for older Australians. Older Australians need sufficient income to enable them to live healthy lives as active members of their communities.

We therefore ask the House to increase the Age Pension to guarantee a decent standard of living for those whose total income is inadequate to meet today's costs of living.

by Mrs Irwin (from 100 citizens)

Immigration: Asylum Seekers

To the Honourable Speaker and Members of the House of Representatives assembled in Parliament.
WHEREAS the 1998 Synod of the Anglican Diocese of Melbourne carried without dissent the following Motion:

“That this Synod regrets the Government’s adoption of procedures for certain people seeking political asylum in Australia which exclude them from all public income support while withholding permission to work, thereby creating a group of beggars dependent on the Churches and charities for food and the necessities of life;

and calls upon the Federal government to review such procedures immediately and remove all practices which are manifestly inhumane and in some cases in contravention of our national obligations as a signatory of the UN Covenant on Civil & Political Rights.”

WE, therefore, the individual, undersigned Attendees petition the House of Representatives in support of the above mentioned Motion. AND we, as in duty bound will ever pray &c.

by Mrs Irwin (from 12 citizens)

Age Pension

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

This petition of: The Moreland Senior Citizens Action Group draws to the attention of the House: As pensioners we simply cannot survive on the present pension rate of 25% of the Male Average Weekly Wage earning as it cannot be applied to the current increased prices and cost of living because we have completely lost the spending power.

We therefore ask the House to: Take into consideration our situation and ask that the Federal Government raise the pension level to a new basis adjustment of 30% of the Male Average Weekly Wage earning in order that we pensioners may not be below the poverty line.

by Mrs Irwin (from 300 citizens)

Bendigo Electorate: Community Radio

We the undersigned citizens of central Victoria wish to alert the House that the Australian Communications and Media Authority are proposing to re-allocate the 89.5 MHz radio frequency in Bendigo that is currently used by the community radio sector, to the ABC’s NewsRadio service.

This community radio service has been operating successfully for the past 25 years, therefore we ask the House to ensure that this radio frequency be permanently reserved for community radio broadcasting in central Victoria. We also ask the House to ensure that the ABC’s NewsRadio service for Bendigo is allocated an alternative frequency

by Mrs Irwin (from 1,518 citizens)

Petitions received.

Responses

Mrs Irwin—Ministerial responses to petitions previously presented to the House have been received as follows:

Marriage Legislation

Dear Mrs Irwin

I refer to your letter dated 25 June 2008 seeking a written response to a petition submitted to your Committee regarding amendment of the Marriage Act 1961.

The Government’s policy on marriage reflects the widely held view in the community that marriage is between a man and a woman. As the petition indicates this reflects the traditional view of marriage that has been built over many centuries. The Government does not support any legislation that mimics marriage or undermines existing laws that define marriage as being between a man and a woman.

At the same time it is the Government’s view that couples who have a mutual commitment to a shared life should be able to have their relationships recognised. The Government’s policy on relationship recognition supports a state-based nationally consistent scheme for the registration of committed adult relationships that are not marriages.

The Government is also of the view that couples who have a mutual commitment to a shared life but who are not married should not be discriminated against. One step towards eliminating discrimination against same-sex couples is for their relationships to be legally recognised. The most appropriate way to achieve this is by the devel-
opment of nationally consistent, state-based relationship recognition that will include the opportunity for committed couples to have those relationships registered.

Tasmania has had legislation providing for a relationship register since 2003. Victoria passed the Relationships Act 2008 in April this year and in June the ACT passed the Civil Partnerships Act 2008. All three of these Acts provide for registration of same sex relationships as well as opposite sex relationships. The Tasmanian Relationships Act 2003 also provides recognition for “caring” relationships, which are defined as relationships between two adult persons whether or not related by family, one or each of whom provides the other with domestic support and personal care.

This State and Territory legislation is in keeping with the Government’s policy on relationship recognition and I wrote to all my State and Territory colleagues in December 2007 urging them to consider a nationally consistent approach to this issue.

The Government does not consider, as the petition suggests, that establishing relationship registers in the States and Territories will compromise the purpose of the Marriage Act.

It should be noted that none of the Tasmanian, Victorian or ACT Relationships Acts provide for the parties to have any ceremony or make any public declarations. There is no provision in the legislation that a registered relationship is to be treated in the same way as a marriage for the purposes of relevant State or Territory law. All States and Territories have laws which recognise same sex relationships. Registration simply provides a mechanism for formally recognising those relationships.

I hope this information is of assistance to the Committee when considering this petition.

from the Attorney-General, Mr McClelland, to a petition presented on 23 June and 1 September by The Speaker (from 123 citizens)  

Climate Change

Dear Mrs Irwin

Thank you for your letter of 27 May 2008 concerning a petition regarding greenhouse gas emissions submitted to the Standing Committee on Petitions.

The Australian Government recognises that climate change is an urgent issue and dealing with climate change is one of the highest priorities of the Government. In his first act as Prime Minister, the Hon Kevin Rudd MP committed Australia to play its part by ratifying the Kyoto Protocol and leading the Australian delegation to the Bali climate change negotiations. Australia was instrumental in securing agreement on the Bali road-map for the international community to agree on post-2012 action on climate change.

The Government’s climate change policy is built on three pillars; reducing Australia’s greenhouse gas emissions; adapting to climate change that we cannot avoid; and helping to shape a global solution. The Government is moving quickly to implement its comprehensive framework for tackling climate change in Australia.

With respect to the specifics of the petition, the Government has committed to a 60 per cent emissions reduction target from 2000 levels by 2050. We were one of the first countries to commit to such a national goal. Australia’s target is informed by scientific advice and is consistent with those few countries that have also committed to such a goal.

We will also set a medium-term target range, drawing on inputs including economic modelling from the Treasury and the independent Garnaut Climate Change Review. The key instrument to meet our 60 per cent target will be the introduction of a Carbon Pollution Reduction Scheme, to commence in 2010.

The Government recognises the important role energy efficiency has to play in assisting Australia to reduce its greenhouse gas emissions. The National Energy Efficiency Framework, established in 2004, governs the cooperative delivery of energy efficiency measures across all states and territories. The framework provides a range of comprehensive measures across key sectors to ensure coordinated and efficient delivery of energy efficiency programs. It aims to achieve a major enhancement of Australian energy efficiency performance, reducing energy demand and lowering greenhouse gas emissions.
The Government, in conjunction with all jurisdictions, is currently working to progress Stage One of the energy efficiency policy packages under the National Energy Efficiency Framework. Stage One builds on the existing residential, commercial and government capacity and capabilities in energy efficiency.

In addition, the existing Minimum Energy Performance Standards program will be extended to harness cost-effective emissions reductions as well as energy efficiency opportunities. We have announced $14 million to help families identify the most energy efficient and cost effective appliances for their homes with a 10-star appliance rating system. We are also encouraging businesses to be more efficient in their operations with the $240 million Clean Business Australia initiative.

The Council of Australian Governments (COAG) is also pursuing options to accelerate uptake of energy efficiency measures through its Working Group on Climate Change and Water, which I chair. Those options will be discussed at COAG later this year.

With regard to renewable energy, the Government has committed to a national Renewable Energy Target of increasing renewable energy to 20 per cent of Australia’s electricity supply by 2020. This commitment includes a legislated target of 45 000 gigawatt-hours of renewable electricity supply in 2020. Legislation for the target will be introduced in 2009.

We have also announced a range of measures to support the uptake of renewable energy including $500 million for the Renewable Energy Fund to support the development of innovative renewable energy technologies. A further $150 million has been provided to the Energy Innovation Fund to focus on developing clean energy research and development capabilities in Australia, including $100 million for solar thermal and photovoltaic research and development.

In addition, the Government has allocated $1 billion to assist households and communities to be more energy efficient including rebates for solar power systems, solar hot water systems and low interest green loans to install energy efficient technologies including renewables.

We are also progressing the gradual phase-out of inefficient hot water systems and have recently allocated $7.9 million for this purpose. We will work with the state and territory governments and industry to develop nationally consistent greenhouse performance standards for domestic hot water products to meet new performance requirements. These standards will enable the gradual phase-out of greenhouse-intensive hot water systems in new homes and areas with access to reticulated natural gas in 2010, extending to all homes in 2012.

Thank you for referring this petition to me under Standing Order 209(a) of the Standing Committee on Petitions. I am pleased to offer this response to the petition, consistent with Standing Order 209(b).

from the Minister for Climate Change and Water, Senator Wong, to a petition presented on 26 May by The Speaker (from 12 citizens)

Education: Students with a Disability
Dear Mrs Irwin

Thank you for your letter of 26 May 2008 referring a petition from residents of Victoria and requesting action on funding for students with disability. I apologise for the delay in responding.

The Australian Government strongly supports the rights of students with disability to have the same educational opportunities as other children and is committed to providing ongoing funding for this purpose. I appreciate how important it is for these students to receive appropriate support in meeting their special needs.

For the first time, all Australian governments have agreed to work together on a reform agenda focusing on improved teacher and school leader quality, high standards and expectations, greater accountability and better directed resources.

The Australian Government is working with states and territories through the Council of Australian Governments and its working groups to develop a new funding framework for schools that will support the reform agenda and generate better learning outcomes for all students.
The current lack of nationally comparable data on students with disability limits the Government’s ability to target resources to support those students who are most in need. As part of our national reform agenda, I am committed to working with states and territories to improve data collection and transparency of information for these students, to ensure that the Australian Government can direct funding support to where it is most needed. Consultation with key stakeholders is an important part of the process and is currently underway.

I trust that this information will be useful to the Committee.

from the Minister for Education, Ms Gillard, to a petition presented on 26 May by The Speaker (from 485 citizens)

Higher Education Assistance

Dear Mrs Irwin

Thank you for your letter of 25 June 2008 concerning a petition submitted for the Committee’s consideration regarding approval of the Doctor of Physiotherapy course at Bond University for the purposes of student income support, such as Youth Allowance and Austudy. I apologise for the delay in responding.

From 1 January 2008, Youth Allowance and Austudy assistance was extended to students undertaking Masters by coursework study, where the course is required for entry to a profession, or the course is the fastest pathway to professional entry, or the course is the only pathway provided following a university’s restructure of its course delivery. I have the authority to approve courses for the purposes of student income support and approved courses are listed in a Determination of Education Institutions and Courses under subsections 3(1) and 5D(1) of the Student Assistance Act 1973 (Determination No 2007/1).

The extension of student income support to professionally oriented coursework Masters programs does not extend to coursework Doctorates. The level at which courses are offered is a matter for university decision, taking into account their own course structures and the range of assistance that is available for students.
petition if they wished? What resources will be required to run an e-petitioning system?

As I indicated last week, there are a number of quite complex questions that we will be seeking to address over the next couple of months. We will of course be looking at the two Australian jurisdictions that have electronic petitioning—Queensland and Tasmania. I am delighted that both parliaments have made a submission to the inquiry, and we expect to discuss their experiences with them.

We will also be looking at the Scottish parliament’s experience. As the first parliament to set up a full electronic petitioning system, they are in a unique position to give us some guidance on the challenges that we might face. I was similarly very pleased to receive a submission to our inquiry from the presiding member of the Scottish Public Petitions Committee. Again, we will be looking to develop a dialogue with them. Not only does Scotland have electronic petitions, but as part of the system it also has online discussion forums where people can indicate why they support a particular petition. So what the Scottish parliament ends up with is not just a list of email addresses attached to terms of reference but also comments about an issue that add to the debate on a policy matter. Whether the House of Representatives should go down this same path will also be something we will be examining as part of our inquiry.

I will be visiting Scotland early next month to see firsthand how its system operates, and I look forward to sharing some of my findings with the House on my return. I will also be visiting the House of Commons. They are looking to establish electronic petitioning in 2010, following on from a very, very successful e-petitioning system set up for Downing Street. They are facing many of the same challenges that we are in balancing security and other concerns with making the system accessible to all citizens.

There are a great many subjects that have come before the committee in its first six months of operation. Many of the issues are common across all electorates—roads; services in the local area such as post offices, Medicare or Centrelink offices; access to pensions; funding for health and education services; and the list goes on and on. However, one petition has captured my attention because it is on an issue that I know very little about, and I would like to take the time remaining tonight to speak about it.

The East Africa Women’s Foundation has sent a petition to the committee, drawing the attention of the House the use of the drug khat. Khat is a flowering plant native to tropical East Africa and the Arabian Peninsula. It has been grown for use as a stimulant for centuries in the region—in fact, chewing khat predates the use of coffee and is used in a similar social context. As well as being chewed, khat can be taken as tea or smoked.

The petition raises concerns that khat is addictive and can induce antisocial behaviour. The plant gives users a rush, mild euphoria and sometimes hyperactivity or manic behaviour. Users can become violent or aggressive. It is claimed that it can be linked to medical problems including gastrointestinal and cardiovascular disorders and can induce psychiatric symptoms. The petition notes that khat is legal in Australia and asks the House to prohibit the sale, distribution, use, importation and production of khat in Australia.

In looking to learn more about this substance, I was interested to learn that there is not a great deal of information about the use of khat in Australia. In 1993 it was estimated that from 700 to 1,000 people in Melbourne used the plant. And, given the increase in immigration of people from East Africa, it is
possible that khat use has become more common. Khat chewing is predominantly a male activity, although women do use it and there appears to be some anecdotal evidence that women who did not chew khat in their former homelands have begun to use khat after their arrival in Australia.

Khat is not illegal in Australia, but its import is controlled under the Customs (Prohibited Imports) Regulations. A person wishing to import khat needs a licence to import and a permit to import for each shipment, and there are limits on how much can be imported each month for personal use. In addition, I understand that the plants themselves are also subject to examination by AQIS to ensure that they are free of insects and so on.

Khat is illegal to sell, use and possess in France, Norway, Sweden and Switzerland, and is a controlled substance in the United States, Hong Kong and Canada. It is uncontrolled in the United Kingdom, as far as I was able to determine.

This is obviously an issue for some parts of the East African community here in Australia, and I look forward to receiving a ministerial response to this petition in due course.

I hope that, on future occasions, this speaking time will be used by other members of the Petitions Committee, as well as me, to highlight various petitions, ministerial responses or related matters. There is certainly a great deal of positive work being done by the committee, and I look forward to sharing some of it with the House in the coming months.

COMMITTEES
Public Works Committee
Report

Mr BUTLER (Port Adelaide) (8.39 pm)—On behalf of the Parliamentary Standing Committee on Public Works, I present the committee’s seventh report of 2008, entitled Update report: the Christmas Island immigration detention centre project.

Ordered that the report be made a parliamentary paper.

Mr BUTLER—by leave—This report presents the committee’s views on the planning and construction of the Christmas Island Detention Centre by the Department of Finance and Deregulation. The committee of the 40th Parliament reported on the original proposal for the centre back in December 2003. At that time, the total cost of the proposal was estimated at $276.2 million. In January 2008, the Department of Finance and Deregulation advised the committee of a cost increase for the project of $120 million. This brought the total value of the project to $396 million, or about a 43 per cent increase. Finance briefed the committee on the reasons for the cost increase at a public hearing on 26 June 2008.

There have been some positive lessons for project planners as a result of these very significant cost overruns. The current two-stage approval process for public works provides much greater cost certainty for project proposals. But, overall, the committee was not satisfied by the department’s justifications for the cost overruns. The key factors cited, such as the breakdown of the port crane, the isolation of the location, the high transport costs, competition with the booming mining sector and project design expenses, should have been foreseen. The committee was also concerned with other cost overruns such as the budget for sundry fees, design and project management. The committee considers that it was presented with a poorly costed plan in 2003 which was then inadequately managed.

The Department of Finance and Deregulation asserted that the project did include adequate planning for risks associated particu-
larly with the port crane. However, the committee is unable to agree with that assertion in the absence of clear evidence of an appropriate risk assessment process. This highlights the need for the committee to be provided with rigorous risk assessment documentation as part of the inquiry process.

The committee has also expressed its concern about the project to the Auditor-General, whose agency, the Australian National Audit Office, is currently undertaking an audit of the project.

I would like to thank the committee for its work in relation to the review of the Christmas Island immigration detention centre project, and I commend the report to the House.

Mr LINDSAY (Herbert) (8.42 pm)—I concur with the report of the chair of the committee tonight. This year, the Department of Finance and Deregulation wrote to the Public Works Committee regarding the increase in budget for the Christmas Island immigration detention centre project, and I commend the report to the House.

Mr LINDSAY (Herbert) (8.42 pm)—I concur with the report of the chair of the committee tonight. This year, the Department of Finance and Deregulation wrote to the Public Works Committee regarding the increase in budget for the Christmas Island immigration detention centre project, and I commend the report to the House.

Finance claimed that cost overruns were due to the initial underestimation of the cost of works, the delay in the project design documentation by the main works contractor, the failure of the port crane and other matters. The evidence given on 26 June this year was disturbing for the committee. During the briefing—and this is in the Hansard transcript—I asked Mr Rick Scott-Murphy, the First Assistant Secretary and Manager, Property and Construction Division, Asset Management Group, Department of Finance and Deregulation, a number of questions. I asked Mr Scott-Murphy:

Going back to the start of all of this, you have given evidence that when you came to the committee originally you did not really know what the project was going to end up costing. Is that right?

Mr Scott-Murphy said:

We had a very dim, obscure view of what was entailed in the project.

Mr Scott-Murphy went on to confirm that the department did not know accurately what the cost might be. I then indicated that the committee is charged with determining whether projects are value for the Commonwealth of Australia in its expenditure of money. I asked Mr Scott-Murphy:

How could the committee have done that without knowing what it was that they were actually approving? The answer is that they could not; is that right?

Mr Scott-Murphy said:

I think at the time they could not, with accuracy, know that.

Not surprisingly, the committee report to the parliament tonight that we have not been satisfied with the justifications offered by the Department of Finance and Deregulation. Neither have we been satisfied with the compensation agreement reached between the department and the main work subcontractor, because the agreement is beyond public scrutiny.

However, some good has come of all of this. Finance has now introduced a two-stage approval process that does provide clarity. Future projects will have scope definition at a functional design brief quality. They will have a schematic design that defines what it is that is being delivered and a cost estimate based on the definition of scope and schematic design. The order of accuracy that will
be presented now in the two-stage approval process is roughly 80 per cent certainty of out-turn cost. Finance will then provide the contingency in the budget to give greater certainty that the costs will not blow out.

The committee has used two other avenues available to it to underline its concerns that have surfaced as a result of this report and I can assure the parliament that the Public Works Committee, under the chairmanship of the member for Port Adelaide, is well and truly doing its job on behalf of the Commonwealth of Australia.

PRIVATE MEMBERS’ BUSINESS
Northern Australia: Regional Development

Mr TUCKEY (O’Connor) (8.46 pm)—I move:

That the House recognises the energy, water and agricultural potential of the far north of Australia and, in particular, the Kimberley region and urges the parliament to give priority to the development of northern Australia.

My colleague and seconder, the member for Kalgoorlie, is going to address matters relevant to the great agricultural and water supply potential that exists in the region for which, of course, he is the local member. I wish to take my opportunity to draw the attention of the parliament to the very substantial renewable energy resources that exist in this region.

The length of the Kimberley coastline when measured on the shoreline from King Sound—or even if measured from Broome, but I think it is from King Sound—around to the Northern Territory border is about 6,000 kilometres. Therefore, it is a very lengthy coastline at first glance on a map. That is because of the fjordic nature of that entire stretch of the coastline. It is simply one bay, one inlet and one group of islands wherever you bother to look. The area is also subject to extremely high tidal action. In the company of the member, a group of backbenchers travelled to that area in our recent up week and we happened to be at the Derby port jetty at the time that the tide was out. There, standing in splendid isolation, was the jetty—some 40 old-fashioned feet above the bed of the sea at that point. We were informed that within five or six hours the tides would have risen close to the decking of the jetty. The tides are typically measured at about 11 metres twice a day as the mean average tide. That is a huge quantity of water.

Whilst Australians continue to ignore that potential, the World Energy Council—in preparing a table of high-quality tidal assets for the generation of electricity to replace the emitting coal fired and other now annoying or problematic generating systems—identified that just two of those inlets, Walcott Inlet and Secure Bay, had a relative generating capacity of over four gigawatts of power and, in fact, over eight terawatt hours of electricity generation annually. That equates to 120 per cent of the existing installed generating capacity in Western Australia and 10 per cent of the total generating capacity of Australia.

Here we have this magnificent resource. On a previous occasion I drew the attention of the House to how modern-day high-voltage DC transmission can economically deliver that power to all parts of Australia. The transmission side might cost $5 billion. As a public good exercise, I would think that is exactly the response the Australian government should give to this grave difficulty. The Prime Minister is spending $100 million on another area which would be much more difficult.

Our grave problem is that the government is actually proposing, through the Minister for the Environment, Heritage and the Arts, to give control of that region to Geneva through a World Heritage order. Why would...
you do that? If Australia cannot control its own energy assets, its own freshwater assets and its own mineral assets, why do we need World Heritage? Yes, there are some nice waterfalls and there are a few other things that the state government could probably protect. Why would this government allow the environment minister to do that? (Time expired)

The DEPUTY SPEAKER (Hon. BC Scott)—Is the motion seconded?

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

Mr TURNOUR (Leichhardt) (8.51 pm)—I rise today to speak on this motion as a passionate advocate for Northern Australia. As the member for Leichhardt, I represent the great city of Cairns, Cape York and the Torres Strait. I see my parliamentary colleague Mr Katter, the member for Kennedy, who is also a passionate advocate for Northern Australia, here in the chamber. It is also great to be here with the member for Dawson, Mr Bidgood. Not only do I represent Northern Australia—and I see you, Mr Deputy Speaker, nodding and wanting to be associated with Northern Australia.

Mr Katter—I’m not so sure about that!

Mr TURNOUR—I know. I agree with the member for Kennedy—we are not too sure about that. But I can assure you that, having been born in Darwin to a family that grew bananas and small crops at Batchelor, near Adelaide River, and now being the member for Leichhardt, I have a passion for Northern Australia. It is fantastic to be here in the federal parliament and to be able to work with the Parliamentary Secretary for Regional Development and Northern Australia, the Hon. Gary Gray, to bring forward projects and to develop this important part of the world.

The Australian government is serious about the development of sustainable opportunities in Northern Australia. This government is committed to encouraging sustainable development in Northern Australia after a decade of neglect. In 12 years, there was not a lot of action from the former government in infrastructure, skill development or any of the areas that lead to development. In the last 12 months or so, we have set up the Northern Australian Land and Water Taskforce. We are committed to that task force and we want things to happen as a result of it. We have taken our time to review it, and I am pleased that very soon we will be announcing a new membership of that task force and new terms of reference. We will be removing the opposition politicians that are currently on that task force and replacing them with skilled members, skilled representatives with experience in that part of the world and that can give us genuine advice. There are fantastic opportunities, whether they are in agriculture—I have a strong background in agriculture—mining or tourism, to help us develop that part of Australia.

I look forward to working with the parliamentary secretary and that task force in building on some of the project ideas that will come out of that.

We have already established the Office of Northern Australia. We are going to bring forward big projects up there, so we need an office that can work with big project proponents and that can work with state and local governments to cut through red tape and make sure that we can get the job done. We are committed to that. I know that the parliamentary secretary and members from this side of the House are committed to making sure that we can support development, whether it is in mining, agriculture or tourism in that part of the world.

The new Office of Northern Australia will, as I have said, enable better communication and coordination across governments and inject a better understanding of Northern
Australia into the Canberra policy mix. The office is establishing strong links between governments, industry and communities right across the north and these links will allow us to develop a shared vision for the future and to pursue ideas that build the capacity for economic prosperity and the potential of Northern Australia. I know that in my electorate there is a fantastic opportunity in bauxite development on the eastern coast, at Cape York Peninsula. We have Chalco, a major Chinese investment, there looking to work with the Indigenous community of Aurukun and the Queensland government. This is an important project for my electorate that will provide jobs to Indigenous communities, whether in Aurukun or in other parts of my electorate. We are looking forward to working on this project with the Queensland government and also local communities to ensure that it goes forward.

There has been some talk of Western Australia. I have had the great opportunity to get across to Lake Argyle and have a look around the north-west. I know there are some fantastic opportunities up there. We need to ensure that any development in the north not only is economically sustainable but also protects the environment. We are going to get the balance right. We are going to make sure that we support development in that part of the world. I commend the development of Northern Australia in a sustainable way and look forward to working with the parliamentary secretary and others. (Time expired)

Mr HAASE (Kalgoorlie) (8.56 pm)—It gives me a great deal of pleasure to rise this evening in support of the member for O’Connor’s private member’s motion. Mr Tuckey has always been a great supporter of the potential of north-west Australia. I recognise there is a potential greater than that for the name ‘Australia’ in the collective ‘Northern Australia’. It is not a time for parochialism here; it is time for collectivism. I hate the word but, on this rare occasion, I will recognise the need for collectivism. It seems we have in the Kimberley region of Western Australia the opportunity to solve this nation’s dilemma of sustainable energy that we have been locked into with this crazy debate about global warming, which we call ‘weather’. More importantly, we have the situation in the Ord Valley reaching through across the border into the Northern Territory. We have the opportunity to take away the problem of a failing food production industry with the weather change in the Murray-Darling by having the Ord stage 2 development extended.

We have a major problem, however, with the Northern Territory government. We have just replaced the head-in-the-sand Western Australian government. Hopefully, we will eventually change the head-in-the-sand Northern Territory government and give some vision to the people of Australia, which will encourage them to go to Northern Australia and take up the challenge of using the collective resources of land and water that is the Ord Valley stage 2. The potential is there. We have a body of water. The popular debate now is: ‘What are we going to do? We are running out of water in Australia.’ Lake Argyle in flood is 21 times the size of Sydney
Harbour and it is being ignored by a head-in-the-sand government in the Northern Territory and an equally head-in-the-sand government led by Mr Rudd, and something needs to change.

We need to embrace these resources; we need to utilise them for the people of Australia so that we no longer have the debate that goes, ‘Oh dear—wring the hands—we are running out of water in the Murray-Darling Basin!’ If we want to solve the problem of food shortages globally, certainly at least in Australia, look no further than the Ord River. We need to put a few bob in federally and support the M2 channel. We need to get behind the Northern Territory government, drag their head out of the sand and say: ‘Wake up! You have a job to do here on behalf of Australia.’ It may be on behalf of feeding Asia but certainly there is a resource to be harnessed here. All this hand-wringing does no good, you know. We actually have to do something. We have to recognise the potential that is available there. We have the natural resource; we have the expertise.

For 10 years the Department of Agriculture and Food at the Frank Wise Institute in the Ord Valley in Kununurra has been growing GM cotton and getting incredible results. We can save on pesticide, we can save on water and we can double production from normal cotton crops. We have the potential to do that in canola as well. We have endless opportunities. But it seems that the people in government in the Northern Territory and now in government federally would rather wring their hands and talk up the problems rather than recognise and embrace the solutions. The solution is simply this: recognise that we have the resource; recognise that we have the science; and recognise that we have, during this time of the greatest economic boom that Australia has ever enjoyed, the finance to fund the development of Ord stage 2. The people are there, the science is there and the resources are there—why can we not develop the political will to put the pieces together and drive the Ord River, thereby solving so many problems that we simply wring our hands about today? The people of the Ord do not know why. They were led by the nose into electing a Rudd government. They expect the same Rudd government now to stop simply watching and reporting on grocery prices and to actually do something about moving this nation forward and solving the problems. (Time expired)

Mr BIDGOOD (Dawson) (9.01 pm)—I rise to speak to the member for O’Connor’s motion. While we sit on opposite sides of the House, and opposite ends of the nation for that matter, I do acknowledge that we both share a concern for the future prosperity of our electorates; they are both important electorates that contribute to the nation’s bottom line. We both want to see our beautiful north develop and prosper. I will, however, take this opportunity to assure the member for O’Connor that the Rudd Labor government not only recognises the energy, water and agricultural potential of Northern Australia but also is investing in it. The commitment that the Rudd Labor government is giving to my electorate of Dawson in North Queensland is proof of that. The election commitments by the Rudd Labor government are commitments that are being delivered.

Since being elected, the Minister for Agriculture, Fisheries and Forestry has visited and met with key stakeholders in the Burdekin, in Bowen and in Mackay in my electorate and has spoken to them on issues such as ethanol, biofuels—

Mr Katter—Hear, hear!

Mr BIDGOOD—I was waiting for that, Bob—and the future of cane. Since being elected, the Minister for Resources and Energy and the Minister for Tourism has visited Mackay and met with mining industry stake-
holders. The minister has an excellent grasp of the issues in the area. Since being elected, federal cabinet has come to Mackay and heard about the real issues from the grassroots—all within eight months of forming this new government. The Rudd Labor government are giving the northern electorates of this great land the recognition they deserve—a recognition that the National Party would not give, even though they had the opportunity while in government for 12 years.

On the issue of energy, I, as part of the Rudd Labor government, have been in talks with Chinese delegations about the future of Chalco and Abbott Point. I am heartened to see the Queensland state government, through their memorandum of understanding, backing the development of Bowen as the preferred site for Chalco. I have pushed and will continue to push for the development of a baseload power station for the region to boost the productivity of the entire north. As many in this House are aware, our coal industry in the north produces some of the world’s finest grade coking coal. Our research and development investment in clean coal technologies is testament to our commitment to the industry—an industry that is contributing to the nation’s bottom line.

One way I will not advocate for powering up the north, though, is through nuclear power. While the previous National Party member for Dawson was an advocate for it and many of those opposite still defend it, the government and I state proudly that we will not have any of it. We will not be putting nuclear reactors in the north, or anywhere else for that matter.

I attended the Central Queensland mining expo in Mackay this year, where I met with many local mining service companies based at the local industrial estates in Mackay as well as multinational mining companies. All of them are optimistic about the resources boom that is taking place and are confident that the Rudd Labor government is serious about building the basic infrastructure that is an essential part of productivity and nation building. This government is about developing all productive areas of this great land. We see the potential and we are delivering for the people of Dawson. We are delivering for far north Australia and adding to the economic bottom line of the whole nation. I support the motion.

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

National Police Remembrance Day

Mr HAYES (Werriwa) (9.06 pm)—I move:

That the House:

(1) recognises and acknowledges the significant contribution that officers across all Australian policing jurisdictions make to our local communities as we approach National Police Remembrance Day on 29 September 2008;

(2) remembers and comes together to commemorate the ultimate sacrifices made by all police officers who have been killed in the course of their duties;

(3) honours the courage, commitment and memory of the many fine men and women who lost their lives in the execution of their official duty each made in serving our community;

(4) pays tribute to the families and friends of those fallen police officers for the support they unreservedly provided during the career of their respective loved ones;

(5) encourages all Australians as a sign of respect to those who have fallen, to attend a ceremony or wear or display the traditional blue and white chequerboard ribbon, offi-
cially recognised as the symbol of Remembrance Day; and
(6) supports and thanks all serving police of Australia for their invaluable dedication and commitment to make a difference, defend our way of life and safeguard the peace.

At this time each year, across the nation, we pause to honour the lives and the memory of the many very fine men and women who, in serving our community, have had their lives tragically cut short in the execution of their duties. National Police Remembrance Day is observed on 29 September and is a day that holds significance on the national policing calendar. Since 1989, when National Police Remembrance Day was first recognised, it has become a tradition for police and the greater society to reflect on the invaluable dedication and commitment of police officers, their unquestioning devotion to duty and, importantly, the ultimate sacrifice made by them in serving the community. It is also the day we celebrate the feast of St Michael, the patron saint of police, who, according to church tradition, is the protector of good over evil.

In 2001 it was resolved to establish a National Police Memorial in Canberra. The memorial was completed and dedicated on 29 September 2006. The National Police Memorial is located in Kings Park, on the northern shore of Lake Burley Griffin, adjacent to the National Carillon. At this point, I acknowledge that there have been a series of members on both sides of politics, along with the police associations, particularly the Police Federation of Australia, whose continued efforts and hard work have been largely instrumental in establishing the National Police Memorial.

The memorial pays tribute to police officers across the nation who have been killed on duty or have died as a result of their duties since the advent of policing in Australia and recognises the unique nature of policing and the dangers that police face in their daily pursuits. The National Police Memorial was opened with the names of 719 fallen officers inscribed on brass touchstone plates, with the date and the place of their death recorded, and these were distributed randomly across the wall. The memorial honours all police killed on duty, dating back to the first, back in 1803, in Sydney, who was Constable Joseph Luker.

It is with some sadness that I note that, since the opening of the memorial in 2006, there have been a further seven police fatalities. Over the past 12 months, fortunately, there have been no police deaths in Australia. However, I acknowledge with profound sympathy the recent death of Sergeant Don Wilkinson, a New Zealand police officer who was shot down during a covert operation. Once again, that goes to show the nature of policing.

Looking at the names listed on the memorial, there is one thing that is impossible to ignore, and that is the blank plaques. They are for the officers who, sadly, will join their colleagues in years to come. When a police officer dies in the line of duty it is a tragedy which affects us all. It is a heartbreaking loss for our entire community. However, the families of these officers carry a disproportionate burden of the loss. We must reassure them that we will never forget the men and women who have paid the ultimate price for keeping our cities, towns and suburbs safe. Furthermore, we must reassure them that the spirit and the memory of their loved ones will remain with us always.

I greatly value the difficult and often very dangerous job performed by our police. Policing comes with a degree of risk that, fortunately, most of us will never have to face. It is fitting therefore that on National Police Remembrance Day we pay a special tribute not only to the police officers who have died
in the line of duty but also to the dedicated men and women who continue to put their hand up to serve and protect our community. It takes a special kind of person and a special kind of courage and commitment to wear the police uniform. We are truly indebted to those men and women who do so. I want to assure every police officer across the nation that we do not take them for granted.

I encourage all Australians to wear a blue-and-white ribbon or to attend a Police Remembrance Day ceremony as a mark of respect for the officers who have lost their lives in the line of duty over the past 154 years and to show strong support for those people who are yet to take the oath of policing. Finally, can I say on behalf of this House, to all those men and women who have given their lives: may they rest in peace.

The DEPUTY SPEAKER (Hon. BC Scott)—Is the motion seconded?

Mr WOOD (La Trobe) (9.11 pm)—I second the motion. I fully support the motion moved by the member for Werriwa. I congratulate him on his efforts to bring recognition of the service of police men and women right across the country. This is a matter very close to my heart. As many in the House would be aware, I was a member of the Victoria Police for 18 years. This Monday is National Police Remembrance Day, established in 1989 to honour police members killed in the line of duty. Since 1803, sadly, there have been 719 police officers killed in the line of duty across this nation. Of these, 150 members have been killed in Victoria, 30 of them murdered, going right back to the days of the Kelly Gang.

Encountering danger is a reality our police officers face every day they go to work. As all police know, you never know what is around the corner. Reports of verbal and physical abuse and assaults on police are featured almost on a nightly basis on our TV channels. Sadly, the public in some ways accept this as normal.

Let us go back in time and look at the case of Constable Angela Taylor, who was 22 years of age when she walked out of the Russell Street police complex on 27 March 1986. Constable Taylor had simply walked out to get lunch that day, when the blast rocked the Russell Street headquarters, fatally wounding her and injuring 21 of her fellow officers. Most disturbingly, the culprits who carried out this horrendous attack against not only the police but Victorian society—and who were subsequently caught and convicted—were not doing it for revenge or retaliation; they simply had a hatred of police.

An incident closer to my heart occurred two years later in the Walsh Street murders. On 12 October 2008 it will be 20 years to the day that Constable Steve Tynan and Probationary Constable Damian Eyre were gunned down as they attended to an abandoned car in Walsh Street, South Yarra. The premeditated attack was retaliation for the shooting of a known criminal associate of the offenders. As a young constable not yet six months out of the Victoria Police Academy, the Walsh Street murders affected me greatly. Probationary Constable Eyre was 20, and we entered the police academy at Glen Waverley on the same day. We graduated on the same day, 27 April 1988, but in different squads. The murders of these young men shattered two families and brought up very painful memories for all those still grieving for the loss of Constable Taylor two years before.

Almost 10 years after the Walsh Street murders in Victoria, police were again shocked by the slaying of Sergeant Gary Silk and Senior Constable Rodney Miller on 16 August 1998. The pair were gunned down while staking out a restaurant in Moorabbin,
where they were trying to protect the community as part of Operation Hamada. There are many difficult parts of a police officer’s job—attending road accidents and domestic violence among them—but, for me, the most difficult moments have always been attending a slain colleague’s funeral.

Being a member of the police force is more than simply a job; it is membership of a brotherhood that many do not understand. When a police officer is killed in the line of duty, it affects all active and former members, not just those who knew the deceased. Few other jobs require you to put your life on the line on a daily basis. It is also hard on the families of serving officers. Every time they hear media reports of police officers being killed or injured in the line of duty, the families and friends of serving officers immediately think of their loved ones and anxiously wait for their safe return.

The death of one of your colleagues brings home the reality that policing is a difficult and dangerous job. It is also one of the most rewarding. National Police Remembrance Day serves as a reminder to all Australians of the dedication, the vulnerability and the courage of police. I strongly support the member for Werriwa’s motion, and again I congratulate him.

Mr HALE (Solomon) (9.16 pm)—I thank the member for Werriwa for putting this motion to the House. I am delighted to speak in support of the six points he has made. I thank the members opposite, especially the member for La Trobe for his very heartfelt contribution. Last Wednesday I defended the Northern Territory Police in this place and put on record my absolute support for all the men and women in Australian police forces.

Unfortunately, since the advent of policing in Australia, over 700 officers have paid the ultimate price. Our democracy is a magnificent thing, supported and sustained on the basis that we maintain good law and order. And it is the men and women of the police force who maintain this—men and women from all walks of life, who live and work in the unpredictable nature of policing.

There is a culture in policing, best known to police themselves and the families and friends who love and support them. It is a culture of strength, unity and common purpose. There is no greater purpose to policing than to serve the community. We as a community expect this; however, often we do not provide the support they need or deserve. This is something a good friend of mine, and fellow Territorian, Mr Vince Kelly, President of the Police Federation of Australia, is passionate about.

Constable First Class Michael Deutrom was last week named 2008 Northern Territory Rotary Police Officer of the Year. I congratulate Michael and all police officers for the work they do without fear or favour. It is to those who have paid the supreme sacrifice in upholding the law in the dark and dangerous streets, in remote country towns, in regional and overseas posts, that National Police Remembrance Day is dedicated.

In 1989, commissioners of police around Australasia introduced the police remembrance service. National Police Remembrance Day is observed on 29 September because it marks the feast of St Michael. St Michael is the protector of good over evil and the patron saint of police. On remembrance day every state and territory police force pauses and honours colleagues whose lives have been taken while serving the community. It is an opportunity for family, friends and the community to reflect on police men and women who have lost their lives in the course of doing their job.

To mark the significance that police forces play in our society, the National Police Memorial was completed and was dedicated on
29 September 2006. There are currently 726 names on the honour roll. The first recorded police death was as far back as 1803. Since 1883, when the Northern Territory Police commenced, eight Northern Territory police officers have died in the line of duty. The names of these NT officers are: Mounted Constable Albert McColl, who died in 1933 after he was speared to death on Woodah Island in Arnhem Land while guarding women who had witnessed the murder of several fishermen; Constable Maxwell Gilbert; Constable William Condon, who died in 1952 when he was shot twice after confronting a gunman in Katherine; Inspector Louis Hook; Sergeant Colin Eckert; Senior Constable Allen Price; and Detective Sergeant Ian Bradford. And the last officer that we lost in the Northern Territory was Brevet Sergeant Glen Anthony Huitson. I would like to say a few words about him.

Sergeant Huitson was 38 years old when he died in a gun battle with an armed gunman on 3 August 1999. Hailed as a hero in death, Sergeant Huitson was already due to receive a valour award for bravery because, in 1998, he disarmed a gunman who terrorised passengers on a tourist bus in Litchfield Park. He was truly a hero and epitomises what it means to be a police officer. It is hard to comprehend the heartbreak of the tragedy. I remember at the time how, in one single moment, Lisa Huitson had her loving husband taken away, and their two young children, Joseph and Ruby, lost their dad forever. It is tragic stories like Sergeant Huitson’s that make 29 September such a significant day.

The national police remembrance service will take place here in Canberra next Monday at the National Police Memorial, Kings Park. In Darwin, the police remembrance service will be held next Monday morning at St Mary’s Cathedral. The chequeboard ribbons is officially recognised as the symbol of National Police Remembrance Day. I ask that members of the community wear or display the blue-and-white ribbons during the period of remembrance as a sign of respect and support for police across Australia, for the past and present men and women of our police forces that serve our community without fear or favour. I commend this motion to the House.

Ms Marino (Forrest) (9.21 pm)—I rise to show respect for Police Remembrance Day and to support the motion by the member for Werriwa. On a daily basis, police officers risk their lives in the name of the community and the safety of individuals. In discharging their duties, some of our police officers have given the ultimate sacrifice—their lives. The Australian police commissioners initiated Police Remembrance Day in 1989 to honour those police killed on duty. It is held on 29 September to coincide with the feast day of St Michael, the patron saint of police officers.

In 1998, as part of the response to the murders of Sergeant Gary Silk and Senior Constable Rod Miller, Blue Ribbon Day was born. On 29 September every year, in each state and territory police jurisdiction across Australia and the south-west Pacific region, Blue Ribbon Day coincides with Police Remembrance Day, not only to remember those killed while on duty but also to show strong community support for all police around the world. Law and order is one of the cornerstones of the society we live in, operating in tandem with this very parliament and all others in Australia. Without a body to ensure that laws are followed, they become ineffective. Since 1803, 726 police officers have died in the line of duty—45 of those in the last 10 years. That is 45 advocates of law and order since 1998 who have died in the line of duty or as a result of simply doing their job—that of being a police officer.
I would now like to honour the memory of a local officer who worked in my electorate of Forrest. On 27 November 2004, Senior Constable Jamie Pearson, in the company of another officer, was performing highway patrol duties between Bunbury and Busselton. The pair went to undertake a routine vehicle stop when they collided with another vehicle. Senior Constable Pearson did not survive. In WA there are over 5,300 uniformed officers just like Senior Constable Pearson. That is approximately one police officer for every 400 people in Western Australia; 218 of these officers are in my local district of the South West. In 2007-08, these 218 men and women dealt with over 260 aggravated assaults, 140 aggravated sexual assaults, two cases of murder, five cases of manslaughter, 34 aggravated robberies—six of which involved firearms—285 motor car thefts and 89 cases of arson. These officers are extraordinary people who strongly uphold our nation’s moral values. They are highly skilled individuals of whom we as a nation are proud. What makes these people truly extraordinary is that underneath the uniforms of these men and women is a person with a wife, a husband, a mother, a father, children and friends. Daily they leave their loved ones to serve their community. Some do not return.

It has been most distressing to note the slow dissipation of respect for our police officers. In WA, assaults on officers have been on the rise over the last few years. The punishment for these crimes has been too lenient and the police receive too little support for the dangerous work they do. I welcome every measure that will assist the effectiveness of WA police and benefit the WA population. But no measure can help the officers who have died or the families of officers who have already given their lives in the name of law and order and the protection of our communities. On September 29 we will honour the officers who did not return—Senior Constable Pearson and all the other brave members of the police force who have lost their lives. We offer our sincere respect to their memory and our sympathy to their families. We will salute their memory and offer every support to the men and women currently serving in the police force—those members who are so dedicated to keeping our communities safe.

Mr ZAPPIA (Makin) (9.26 pm)—It is a privilege to be able to stand here and support the motion from the member for Werriwa and to endorse the remarks of all the speakers who have addressed this motion tonight. The comments they have made are very true and very valid, and they are comments that are most appropriate under the circumstances.

It is also interesting that it was only today that many members of this House were debating the Safe Work Australia Bill. In the context of that debate a number of members made reference to the fact that all families expect that, when their husband, their wife or their partner—whatever the case is—leaves in the morning to go to work, they will return home safely. It is interesting to note that, when it comes to the police men and women of this country, that fear would occur in the minds of the family members—whether it be the wife, the children, the parents, the brothers or the sisters—of every police officer who serves this country. Each day, when they depart to go out to work, they ask themselves, ‘Will they return home? If so, will they return safely?’ When the men and women of our defence forces enlist, we quite rightly commend them for putting their lives on the line in order to make our lives safer. Likewise, so do the men and women of the police departments of our nation. So this motion tonight is most appropriate.
I want to talk a little about my experience with the police department in South Australia. I have had a long association with police officers in that state. Firstly, let me say that in South Australia, since the statistics have been recorded, some 58 serving police officers have lost their lives since 1803. To the families of all of those officers, albeit that some of them would have lost their lives some time ago, I certainly extend my condolences to them. In particular, on 26 July 1990 in the city of Salisbury—I recall I was a serving councillor for the city at the time—Officer David Barr lost his life at the Salisbury railway station in the course of his duties. I can recall the mood of the town at the time and the feeling that went through the town—that a police officer had in fact lost his life in the course of doing his job of keeping the rest of the community safe. It was not only the reaction from the community that showed their gratitude for police officers generally, but it was also an event which has not been forgotten in that city. Clearly, other lives have been lost, but the fact that a police officer lost his life in the course of carrying out his duties is something that has not been forgotten and is quite often talked about.

In the time that is left to me, I very quickly want to mention Officer Derek McManus, who was shot several times in the course of a siege in the Barossa Valley. I got to know Derek during his rehabilitation, something that I mentioned earlier in debate on the Safe Work Australia Bill. When you consider that these people have put their lives on the line for us, you then very much appreciate just how important it is for the rest of the community to acknowledge them. On another occasion I wish to speak more about the role of the police officers within our community and throughout Australia. Once again, I commend the member for Werriwa on this motion.
without notice to the Minister for the Environment, Heritage and the Arts, the Hon. Peter Garrett, and he responded as if he did not have a clue what was happening to this vitally important river system. The minister’s response on 16 June was to blame the New South Wales government. He said:

I want to put on the record that the Australian government has invited the New South Wales government to bring forward a comprehensive proposal under the Water Smart Australia program…

He said:

… the level of Australian government funding for this activity will be determined on the basis of the New South Wales government’s proposal.

He also said that:

… as part of Caring for our Country, the government has committed funding of just over half a million dollars for the implementation of a river health strategy and investment in in-stream habitat.

Half a million dollars is an embarrassment when compared to the $132.5 million committed by the federal coalition in 2007.

What has the New South Wales government done about this proposal? It appears to be nothing. I raised the issue of the $132.5 million promised by the coalition directly with the Hon. Nathan Rees, who also attended the summit. Mr Rees is now Premier of New South Wales but a month ago was the New South Wales Minister for Water. He said he would look into it. I wrote to Mr Rees earlier this month to follow up. I also wrote to Mr Garrett. In my letters, I called on both men, as a matter of urgency, to immediately release the $132.5 million in funding so that work could start on improving the health of the Hawkesbury-Nepean river system.

With Labor governments federally and in New South Wales, the Labor government has fostered an expectation of cooperation between the levels of government to address critical issues as they arise. I am sad to say that those expectations are proving to be unrealised as, to date, neither man has responded. How long does the river have to wait? How many times do local people, local governments and local businesses have to develop solutions that never materialise because the Labor government is ignoring this important river system?

The solutions are there, but no-one in either Labor government is listening, and their deafening silence in answer to calls for the release of funding clearly shows they either do not care about the Hawkesbury-Nepean River or are not competent enough to juggle competing water crises. I am not talking about ignoring the Murray-Darling at the expense of the Hawkesbury-Nepean or vice versa. Why can’t both be given the funding they need? The coalition left a great economic legacy—a healthy surplus and no federal government debt. Why then can’t they find the $132.5 million already committed to fund the Hawkesbury-Nepean program to save the river?

There is a lot of talk by the government about the Hawkesbury-Nepean River system, but there is no action. Even the Minister for Climate Change and Water, Senator the Hon. Penny Wong, back in April 2008, talked up the government’s response to secure a long-term water supply for all Australians through the Water for the Future program. This plan, the minister said, was an election promise to develop a single, coherent, national framework that integrated rural and urban water issues. As far as I am concerned, if there is no funding going to the Hawkesbury-Nepean then this program is just all talk and no action. At the summit, people restated the obvious: the river is severely degraded, the problems will only get worse with increased population pressure and people want action now—(Time expired)
Ms GRIERSON (Newcastle) (9.35 pm)—I rise to inform the House of the pending retirement of Justice Graham Mullane, a judge devoted to the administration of family law in the Newcastle registry of the Family Court of Australia throughout his 22 years of judicial service. The Family Court is losing one of its finest. Justice Mullane’s appointment in 1986 to the Newcastle registry was exceptional in many ways. He was the first judge appointed from the Hunter region. Prior to that, the Sydney legal fraternity had dominated such appointments in NSW. But the then Attorney-General, Lionel Bowen, adopted a different approach. His vision was for federal judges to have the opportunity to work in all areas of federal law rather than confining them to one jurisdiction, thus providing career opportunities for the best practitioners of the law. His vision was to expand the delivery of areas of federal law in courts such as the Newcastle Family Court registry.

Graham Mullane’s appointment was recommended by the Family Court through the endorsement of Justice David Tonge, the first resident judge of the Newcastle registry. Unfortunately, David passed away very recently and will not be at Friday’s retirement ceremony. He was, though, forever proud of Justice Mullane’s conduct and service. In his appointment speech, Justice Tonge described Graham as a man who could ‘walk with both paupers and kings’. That quality, coupled with Justice Mullane’s utmost professionalism earned him the respect of his peers and colleagues. Graham is a true egalitarian, a true Novocastrian, who has always acted without fear or favour to prosper the rights of those before him and of all those whose interests have come within his powers and influence.

Although Graham Mullane was not a family law specialist at the time of his appointment, he was clearly a lawyer with a great future. At just 40 years of age, his achievements were exemplary. The son of a Newcastle plumber, he gained a Commonwealth scholarship, graduating in 1975 with a Master of Laws from the University of Sydney. He went on to establish his own successful legal practice in Newcastle, later assisted by his partner and very good friend Robert Lindsay.

As a committee member and Secretary of the Newcastle Law Society, he advanced the interests of the local legal fraternity and was keenly sought after as an occasional lecturer in legal and social justice matters. Graham Mullane has also distinguished himself in community leadership, through the Scouting movement and as the chair of the Hunter Region QUIT for Life Campaign, the Hospitals Association of Greater Newcastle and the Royal Newcastle Hospital Board. I also make particular mention of his advocacy as Chair of the Hunter Institute of Mental Health’s Advisory Board and as chair of the board of Tinonee Gardens Multicultural Aged Care Village, as they typify Justice Mullane’s lifelong commitment to serving the most vulnerable in our society.

Justice Mullane has established an extensive legacy at the Family Court. Devoted to leading quality performance through inclusion and empowerment, his achievements in Newcastle include building a collaborative culture in the Newcastle registry; establishing regular meetings with managers from the Department of Community Services to promote knowledge exchange; capacity building of the profession through quarterly liaison meetings; initiating weekend conferences for the family law profession; organising mock trials in the Newcastle registry for University of Newcastle law faculty undergraduates; and leading the advocacy for the rights of children for over 15 years, by meeting with them at the end of proceedings to explain
firsthand the outcomes and reasoning in the cases affecting them.

Justice Mullane’s judicial colleagues tell me his most noteworthy achievements include the major changes made to the court rules, including the simplification of procedures amendments under his chairmanship of the rules committee for four years; as chair of the judicial bench book committee, the establishment of the electronic judicial bench book, which allows judges to easily access case information and summaries; and his authorship of the precedent orders for the judicial bench book. It seems that the Family Court of Australia has gained great benefit from Justice Mullane’s Masters Degree of Judicial Studies from the US National Judicial College and University of Nevada in 1997.

But now Justice Mullane will retire from the bench on 30 September 2008. I thank him on behalf of the people of Newcastle for his tireless advocacy for the Newcastle registry and the people who presented before him. Justice Mullane has always understood the value of permanent appointments to our registry to make sure local needs are understood, responded to and appropriately resourced. On his retirement, Newcastle will have lost a great champion.

But Justice Mullane is also my friend of 30 years, and I thank him personally for his inspiration and ongoing support. I know that he would want me to acknowledge the support he has always had from his family—his loving wife, Dawn; his three special children, Scott, Richard and Yvonne; his mother, May; and his sister, Annette.

On behalf of his many friends, I thank him for making time for us over his immense career and tell him that we look forward to seeing more of him after September 30. Thank you, Justice Graham Mullane. Newcastle and Australia are indebted to you. We are proud of you, and we wish you well.

Economy

Mr JOHNSON (Ryan) (9.40 pm)—The great economist Milton Friedman once wrote, ‘If you put the federal government in charge of the Sahara Desert, in five years there would be a shortage of sand.’ To paraphrase Milton Friedman in the parliament tonight, I want to say that, if you put a Labor government in power in Canberra, within months there will be a shortage of national economic leadership and national confidence. This Rudd Labor government looks very much like it has lost the plot. Certainly this Labor Prime Minister looks like he has lost the plot. Clearly the wheels of this government are falling off—if they have not already fallen off.

Today, as we all know, the world is in great need of leadership. The world is experiencing, by some accounts, economic challenges of a magnitude not seen and witnessed since the days of the Depression. This country needs the best leadership that can be afforded it, and it needs a leader who knows something about business. It needs a leader who knows something about the corporate world. It needs someone who is more than just a consultant. The times demand economic knowledge. The times demand someone with genuine economic and business experience.

Indeed, I understand that the Prime Minister did not even do senior maths. I am not quite sure that the people of Ryan would appreciate the fact that the Prime Minister of the day, in charge of a $1.1 trillion economy, did not even complete senior maths at the high school that he went to. As a citizen of this country, I am appalled by that. I suspect that the constituents of Ryan would be absolutely gobsmacked by the fact that, at a time when national leadership on the economy is
absolutely indispensable to ensuring that mortgages can be repaid, that homes are not repossessed and that car loans can be financed and at a time when people are looking to the leadership of the their national government, the Prime Minister—the man in Canberra who lives at the Lodge—did not even complete senior maths. I think that would stun many in the Ryan constituency. We certainly did not see that fact on the TV ads during last November’s federal election campaign.

I will inform the people of Ryan and other Australians who might be listening to the parliament tonight why I believe that the Prime Minister has lost the plot. I think it is self-evident, but I should say why. We have a situation here where the Prime Minister is going on an international trip to the US and he says he is doing it because it is in Australia’s national interest that he does so. I want to ask: is it in Australia’s national interest that he picks up the phone and calls a member of the Australian Senate, Senator Nick Xenophon—whom I understand the Prime Minister has not even had the courtesy to speak to—and discusses much important legislation in this parliament?

The people of Australia are going to find out what having a Labor government in power means. Clearly, it means that economic hard times are coming our way. If we are in business, we are going to find out just how difficult it is to do business under this Labor government. If we are in charities or all kinds of small endeavours, we are going to find out how difficult it is to get support from the federal government here in Canberra.

I understand, as I said, that the Prime Minister has not even met with Senator Nick Xenophon, who is a critical player in the parliament today, given that there is legislation backing up in the Senate. I find it absolutely amazing that a Prime Minister would put on his schedule talking to African leaders at Columbia University about his grand scheme of having Australia front and centre in world affairs ahead of walking the 200 yards—or the 200 metres that he fondly speaks of in the chamber here—to meet a member of the Australian Senate to put the legislation of the country ahead of his concerns.

We know that times are different today. The Economist wrote of the previous government’s record that Australia’s economic performance was ‘the envy of Western countries for well over a decade’. That was written in May 2005. In 2008, times are very different. I know that the people of Ryan, who are putting health care and education front and centre in their lives, are not at all interested in the Prime Minister going to Columbia University and talking to African leaders about getting their votes for Australia to get a permanent seat on the United Nations Security Council. (Time expired)

Age Pension

Ms CAMPBELL (Bass) (9.45 pm)—Mr Speaker, that pensioners across the country are doing it tough is not news to you, I know. Nor indeed is it news to me. It does, however, appear to be quite a revelation to those opposite. After 11 years of doing nothing, suddenly the opposition are fundamentally concerned with a portion of the electorate which they simply took for granted. Suddenly those opposite are imbued with righteous indignation—nothing is of greater priority to them than an increase in the pension.

I have no intention of making light of the pressures under which pensioners struggle each and every day. That has been done already by the Liberals. Last month, in what can only be described as a most desperate attempt to grab headlines and steer the agenda away from his embattled leadership,
the former opposition leader proposed an increase in the single aged pension of $30 a week. There are more than 11,000 pensioners in my electorate of Bass and, while I am certain the single ones among them would welcome the move, there are 4½ thousand disability pensioners and almost 1,000 carer pensioners whom those opposite appear determined to ignore.

The new opposition leader obviously believes that the 11,289 pensioners in Bass are not worthy of any more assistance. Clearly Mr Turnbull does not consider that 803 carers, 4,561 people on a disability pension and 5,925 pensioner couples in Bass are in need of more help. Along with his Liberal and National Party colleagues, he does not consider these local pensioners worthy of additional financial help. In contrast, as a result of Australian government measures, all age pensioners, singles and couples, carers, veterans and disability pensioners and women on the wife pension will this week receive the next $128 instalment of their annual $500 utilities allowance.

All of this needs to be put in some context. Let us not forget that this is coming from the party whose first priority in their legislative action in the Senate was to block an increase in the luxury car tax. So concerned were those opposite with ensuring that luxury cars remain affordable that they were prepared to punch a $550 million hole in the budget surplus. Thankfully an agreement was reached with the Senate’s Family First member. But those opposite are not done. I have publicly called on Tasmania’s Liberal senators to pull back from what can only be described as their irresponsible threat to block 30,000 public dental services for Tasmania. The Rudd government wants to invest $290 million in cutting public dental waiting lists. Right now, there are 650,000 people waiting for public dental services, but those opposite are determined to continue to block funding for the Commonwealth Dental Health Program.

At the last election, Labor promised to abolish the Liberal Party’s poorly targeted, failed dental scheme and redirect the funding to provide public dental care to the most vulnerable in our community. Now the Liberals and Nationals are threatening to block that funding by keeping their failed dental scheme alive, completely ignoring the message voters sent them at the last election. That means there will be no Commonwealth Dental Health Program. Let us look at their priorities: ignore disability pensioners, veterans and carers, continue to deny Tasmanians access to 30,000 dental services, but block an increase in the luxury car tax. All the while, they are claiming to be in touch with the community. You know what? I don’t think so.

The Rudd government, on the other hand, is fully aware of the pain and pressure pensioners are under. That is why in the budget we boosted spending on seniors from $1.3 billion to $5.2 billion. We recognise the former government’s neglect of pensioners over the last decade, but we also recognise that we have more work to do on the pension, which is why the Henry review is looking carefully at the adequacy of retirement incomes. The pensions aspect of this review will report in February.

I am listening to the community and I am hearing a lot of concern and angst. I want to assure pensioners across Northern Tasmania: as a government, we are hearing you. Unlike those opposite, we are taking responsible steps to respond. Any change to the base rate of the pension is an extremely complex step with important economic implications, so it is vital that we act sensibly and responsibly in the national interest as well as the interests of pensioners.
It is simply laughable for those opposite to criticise the government for the rate of the pension. They had 11 years to do something about pension adequacy and delivered nothing but chronic neglect. We are determined to rectify that neglect and we will do so in a responsible way.

Simpson Desert

Mr BRUCE SCOTT (Maranoa) (9.49 pm)—I rise tonight to bring to the attention of the House what I believe is an important issue for the Indigenous people of the Simpson Desert and of the Munga Thirri, which means ‘big sandhill country’. I believe it is high time we had a debate about renaming the Simpson Desert after its original people, rather than the explorer who discovered it so many thousands of years later.

The Simpson Desert spans 175,000 square kilometres of inland Australia and three states—Queensland, the Northern Territory and South Australia. According to European Australian history, the first person to see it was explorer Charles Sturt, in 1845. It was not named until 1939, by a keen geologist and explorer, Cecil Madigan, who named it after former Adelaide Mayor and President of the Royal Geographical Society of South Australia, Alfred Simpson.

Obviously the history of the Simpson Desert did not begin 69 years ago. Just last month I was given the unique and humbling opportunity to spend time and a night in the Simpson Desert with Park Ranger Don Rowlands, who is an elder of his tribe, the Wangkangurru. Don, who lives in Birdsville with his wife, Lyn, carries the stories and history of his people, who lived and thrived in the Simpson Desert—or Munga Thirri, the big sandhill country, as they called it. To the European explorers, the desert was a harsh and hostile place, devoid of any life or beauty. To our early settlers it meant hard lives and almost certain death. Yet to Don’s people the desert was a welcoming and nurturing place, a home to raise their children, to hunt for food and to meet with other tribes and discuss tribal law. It was a place to celebrate marriages and births, and commemorate deaths and tragedies.

I would like to take this opportunity to tell the House of one particularly story of the Simpson, told to me by Don and passed down to him by the elders of his tribe. It is a bush tale and, like every bush tale, there are two sides to the story. It is a story of a family who lived on Annandale Station, on the edge of the Simpson Desert. According to Birdsville folklore, the station manager went droving, leaving behind his wife and two daughters. Alone for many weeks, his wife went insane from the isolation, poisoning her two children with strychnine. However, the story of Don’s elders is that the two young girls, who played daily with the young local Aboriginal children of the area, the Wangkangurru, brought home for their mother some desert plants. Unaware they were poisonous if not properly cooked, their mother prepared the plants for dinner. Tragically, her two young daughters died and she was sent into insanity.

Yet perhaps one of the great tragedies is that we have never truly appreciated the long history of the Simpson Desert. When I spoke with Don, we discussed the possibility of having the name changed to honour its original ownership, and this is what I would like to bring to the attention of the parliament this evening.

In many parts of my electorate of Maranoa and indeed across Australia, town names and areas have kept the same name, albeit an anglicised version, given it by local Indigenous peoples. In my hometown where I went to school were names such as Muckadilla—an anglicised version from the local people meaning ‘sweet running water’. Then
there is Wallumbilla, Angellala, Arabella, Womalilla, and Mungallala. These are all anglicised names depicting what could be found in an area. These are just some of the many towns in the Maranoa electorate which have kept the same name identified by local explorers and early settlers as the names given to them by the local Indigenous peoples.

The Diamantina Shire mayor and the shire’s councillors—many of them have lived in far western Queensland their entire lives—are highly supportive of the Simpson Desert Park being renamed to recognise its ancestry. They agree that it is far more appropriate for the desert to be named after its original inhabitants, rather than by a South Australian geologist who I have great respect for but who did not name it until 1939.

It is high time we had this debate, not only on changing the name of the Simpson Desert but also those of many areas across Australia. One could ask: what is in a name? But I am sure that all Australians understand that acknowledgement and recognition through proper naming rights is a simple but fitting way to honour Australia’s history and the people who were here long before us. I hope that we are able to get the support of the state governments and other authorities to see this issue progressed through the appropriate channels to see the name of the Simpson Desert changed to take that of the local tribe group that lived in that area for thousands of years. (Time expired)

Kingston Electorate: Surf Lifesaving

Ms RISHWORTH (Kingston) (9.55 pm)—I rise tonight to pay tribute to the many surf lifesavers that patrol beaches around the country. I am very lucky in my electorate of Kingston because it has more than 30 kilometres of beaches. They are beautiful beaches but they would not be safe without the many surf lifesavers who patrol them. In fact, I have five clubs in my electorate and they all do a fabulous job in making sure that the beaches are very safe.

The surf lifesaving movement has had a very long history. It started in 1901, so it is probably one of the longest-serving volunteer organisations in our country. The job that surf lifesavers did very early on was different from the job that they do today, but no less important. Early on they used a lot of different types of equipment to save people, including the reel whereby someone would stand on one end of the reel, and then reel in the person in the water. Obviously, things have changed significantly since then. Very high-tech equipment is needed now and, as a result, the clubs need a lot of support from their local communities.

I have had a very close relationship with the surf lifesaving movement. I joined the surf lifesaving movement when I was 11 years of age. I was given the choice of playing a number of sports and I chose surf lifesaving. I have had a good and long association with the Seacliff Surf Life Saving Club. I learnt many things from that experience, including first aid and also rescue and resuscitation. But the most valuable thing that I learnt from being involved in surf lifesaving at such a young age was the importance of volunteering. That is an absolutely fundamental thing about the surf lifesaving movement. It has hundreds and hundreds of volunteers who go out every Saturday and Sunday to sit on our beaches to make sure that people are safe. I think that is key to the movement. These people work tirelessly. In the new club that I am joining, the Christies Beach Surf Life Saving Club, people give up between 20, 30, 40 and 50 hours of their time to run this volunteer organisation to the best of their ability. They are very professional people.
I would like to pay particular attention to the South Australian organisation of the surf lifesaving movement. They recognise that the many migrants from around the world who are moving to South Australia perhaps did not have beaches in their country of origin. The organisation is looking at ways to educate some of these migrants on beach safety. This is incredibly important because we are seeing an increase in the number of migrants getting into trouble; they do not understand things such as rips and tides, which are very prevalent in South Australian waters. People in the surf lifesaving movement in South Australia have taken it upon themselves to start educating these people about water safety. They have their new ‘stay safe this summer’ campaign, which has the acronym FLAGS: F for find the flags and make sure you swim between them; L is to look for the safety signs; A is for ask a surf lifesaver for some good advice; G is for get a friend to swim with you; and S is for stick your hand up for help. They also make sure that the message gets across: ‘Never swim in unpatrolled beaches. Never swim at night. Never swim under the influence of alcohol. Never run and dive into water. Never swim directly after a meal.’ The surf lifesaving group work tirelessly to get these messages out to people.

I am very pleased that the Rudd government has recognised surf lifesaving clubs and that it is assisting them in becoming more water wise. During the election, we made a commitment to deliver water tanks to the surf lifesaving clubs around the country, and we are delivering on that commitment. That will provide significant support for the clubs in conserving water at a local level. I know that that has been welcomed by my five surf lifesaving clubs. They want to become very ecowise. They want to look at not only water tanks but also solar panels and any other ways that they can contribute. They know more than anyone how important our local coastal community is. Tonight, I just wanted to recognise the great work that they do on our beaches in saving lives. (Time expired)

The SPEAKER—Order! It being 10 pm, the debate is interrupted.

House adjourned at 10.00 pm

NOTICES

The following notice was given:

Mr Hayes to move—

That the House:

(1) notes that:

(a) three young Australians, members of the group colloquially known as the ‘Bali 9’ arrested in Denpasar, Bali, Indonesia, remain in the Death Tower at Kerobokan Prison Bali under the sentence of death by firing squad;

(b) these Australians have not yet taken review proceedings or sought clemency from the Indonesian President to commute their death sentence;

(c) one of these three is Scott Rush, a drug mule who was only 19 when arrested, is now the only drug mule still facing the death penalty and whose judgement imposing the death sentence contained almost no comparative analysis with other accused persons;

(d) the right to life is a fundamental human right recognised in the Universal Declaration of Human Rights (1948) and the International Covenant of Civil and Political Rights (1966);

(e) Australia is also a party to the Second Optional Protocol to the International Covenant of Civil and Political Rights aimed at the universal abolition of the death penalty;

(f) both Australia and Indonesia are signatories to the International Covenant of Civil and Political Rights;
(g) the Australian Parliament passed the Death Penalty Abolition Act 1973 without dissent;
(h) Article 28 A of the Indonesian Constitution recognises the right to life;
(i) respect for human life and human dignity are values common to Australia and Indonesia;
(j) abhorrence of the death penalty is a fundamental value in Australian society and there is bipartisan opposition within the Australian Parliament to the death penalty; and
(k) the Indonesian Constitutional Court recommended in October 2007 that Indonesian criminal law be amended to include a provision which allows for the death penalty not to be mandatory and for prisoners to earn a commutation of a death sentence by rehabilitation and remorse for their crime;

(2) believes that abolition of the death penalty contributes to the enhancement of human dignity and progressive development of human rights;

(3) is convinced that all measures for abolition of the death penalty should be considered as important and essential progress in the enjoyment of the right to life;

(4) records:
(a) its opposition to the imposition of the death penalty;
(b) its abhorrence of all drug related crime;
(c) the importance of close cooperation between Australian and Indonesian law enforcement agencies in the prevention, detection and prosecution of drug related crime; and
(d) the importance to Australia of its continuing excellent relationship with our near neighbour, the Republic of Indonesia; and

(5) requests that:
(a) the House incorporate into domestic law the contents of the Second Optional Protocol to the International Covention of Civil and Political Rights to ensure the unequivocal abolition of the death penalty in Australia and to communicate Australia’s position on the death penalty to the world at large;
(b) the Commonwealth advocate clemency for these three Australian citizens, as and whenever appropriate;
(c) the Indonesian Government favourably consider the Constitutional Court’s second recommendation that Indonesian criminal law be reformed so that there is a sentencing alternative to the mandatory death penalty;
(d) the President and the people of Indonesia understand Australia’s principled position in relation to the imposition of the death penalty; and
(e) in the event that remaining legal process fails, the President of Indonesia extend clemency to the three young Australian citizens sentenced to death, in particular, by commuting their sentences to terms of imprisonment.
Monday, 22 September 2008

The DEPUTY SPEAKER (Ms AE Burke) took the chair at 6.39 pm.

STATEMENTS BY MEMBERS

Swan Electorate: Sport

Mr IRONS (Swan) (6.39 pm)—Last weekend I had the pleasure of attending the local Perth district football club finals, which took place in my electorate of Swan. Over the two days, more than 3,000 spectators watched five matches involving 250 young football players. The event took place at EFTel Oval, the home of the Perth Demons football club, and involved players ranging from the under-12 to under-17 level. As a director of junior development for Perth Football Club, I was particularly pleased to attend and be involved in the awards presentation. The quality of the games played over the weekend was exceptional and it was good to see such close competition between the teams. The last game of the weekend was between Victoria Park and South Perth under-17s and was decided by a point. This year’s final series included teams from Redcliffe, Thornlie, Queens Park and Maddington.

Professor Matthew Tonts of the University of Western Australia argues that sport has a vital role to play in generating social capital and building local communities. This was clearly demonstrated by the events of the weekend, where local families from all sections of the community came together to generate a carnival atmosphere.

Junior sports in my electorate in WA were ignored for eight years by the state Labor government, and many clubs need help to continue the growth of community oriented sports. Today the Rudd government announced yet another review by an independent expert panel that will spend months preparing its sports funding review. I do not see one member of the panel from grassroots junior sport, which I feel will mean that nothing will be achieved to meet the real needs of junior sport. Junior sport is much too important to the fabric of this nation to send to a committee.

Braddon Electorate: Sports

Mr SIDEBOTTOM (Braddon) (6.40 pm)—With the end of winter, and a magnificent spring in the air, I am reminded of all the sports that were going on in my electorate during the winter. I mention in particular soccer, netball and basketball—and I am still an administrator of my basketball club. There are also Aussie rules football leagues and associations, hockey and all the myriad school sports. I want to thank all those that have been involved in the administration of these sports. I want to thank the sponsors, without whom a lot of these could not take place, as well as the parents and families of those that participated. I thank them for their support. There are also a huge number of volunteers and officials who help put these sports on the road and who help to contribute to a much healthier society.

I now look forward to the summer and particularly, in my beautiful region of Tassie, surf-lifesaving, swimming, athletics, equestrian events, cricket and softball, just to name a few. We look forward to this summer sporting period. As part of that, I would like to congratulate this government, which is soon to introduce the local sporting champions program, which is designed to help young people get to nationally recognised events and will help with their health and recreation future. (Time expired)
Mr BRUCE SCOTT (Maranoa) (6.42 pm)—I rise in the Main Committee to call on this federal government to speed up the funding for the very important Warrego Highway, particularly in the area between Toowoomba and Mitchell in western Queensland, in my electorate of Maranoa. This highway is the main arterial route between Brisbane and Darwin and it goes right through the Surat coal basin. We have seen unprecedented development in this resource area. Of course, the resources and the development of these resources are very important because of the revenue and the export income that they bring to this nation. But that process and that development have been slowed down because of the failure of the government to bring forward funding, as the coalition had promised prior to the last federal election.

I learnt only in the last few days that the Queensland Department of Main Roads has decided to reduce the speed limit on the section of the Warrego Highway west of Dulacca to 80 kilometres an hour. Previously this was up to 110 kilometres an hour. That is clearly an indication of the deterioration of this road that has occurred with the development of this coal seam and methane gas industry and the resulting increase in traffic. I am calling on this federal government. The minister must act because, if he does not, he is going to slow down the development of this coal seam and methane gas industry and the coal industry development. It is going to impact on our economy and it is going to impact on exports—and if there is one thing we need in this financial crisis it is to ensure that we have infrastructure spending in Australia. (Time expired)

Ms PARKE (Fremantle) (6.43 pm)—In September 2001 the United Nations General Assembly declared that the International Day of Peace should be observed annually on 21 September, as a day of global ceasefire and nonviolence. The UN Secretary-General has noted that observance of this day would provide a pause for reflection by the international community on the threats and challenges we face, and relieve those involved in violent conflict of the daily burden of fear.

During my time with the United Nations, one of the things that disgusted me most was witnessing the use of cluster bombs—bombs that open in midair, dropping hundreds of smaller bombs. Many of these bombs do not explode on impact but remain in trees and on land as a deadly legacy, killing and maiming civilians, including children, years into the future. The government’s continued strong support for the international treaty to ban cluster bombs, which I understand will be ready for signing by the end of the year, will be an important contribution to reducing global violence.

I note that my predecessor in the electorate of Fremantle, Dr Carmen Lawrence, moved a motion on 11 September 2006 recognising the International Day of Peace. In her speech, Dr Lawrence quoted former US President Dwight Eisenhower, and I think it is worth reiterating those words today:

Every gun that is made, every warship launched, every rocket fired, signifies in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. The world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children.
Age Pension

Mr CIOBO (Moncrieff) (6.45 pm)—I rise to talk about the plight of pensioners in my seat of Moncrieff, where there are some 10,651 pensioners, part of the 38,321 pensioners across the Gold Coast. I implore the Rudd Labor government to do something for the pensioners of my electorate. This Labor government insists that it is deeply sympathetic and deeply empathetic, but it will not do anything until another review, another summit or another committee concludes its inquiries.

The Howard government had a proud track record of delivering constantly for the pensioners of Australia. We know that single pensioners are $72.80 per week better off as a result of the Howard government’s policies. In particular, we know that when Kevin Rudd went the last election he claimed that, if elected, he would bring down grocery prices and petrol prices. But, in reality, these have increased significantly. They have skyrocketed while this Labor government remains paralysed and says that its way forward is to simply keep watching what is going on. It is not good enough.

The coalition has a concrete proposal. We ask the Labor Party to move beyond the spin and the rhetoric and get behind the coalition’s proposal to increase by $30 the single pensioner payment. We know the government can afford it. They are sitting on a $22 billion surplus. So it is time that the Labor government did something to help those Australians who deserve support—those 10,000 or so in my electorate who are looking for support. (Time expired)

Mr Terry Parer

Mr PERRETT (Moreton) (6.47 pm)—I rise to talk about the death of a great man from the town of St George by the name of Terry Parer. While he did not live in my electorate, the member for Maranoa, Bruce Scott, wishes to be associated with these words spoken in his honour. Sadly, Terry Parer died on Saturday, 20 September. He was the much loved husband of Jenny, who used to be a Delahunty, a famous chemist family in Brisbane. Terry Parer was a chemist in the town of St George for many, many years. Terry was the father of six children, the youngest being Mark, then Bernard, Sophie, Simon, Phillip and Margie. Terry was a great inspiration for me growing up in a family without a dad. He was, as I said, a chemist in the town but was also a great worker for the community. He was a great worker in the Catholic Church. Many of Terry’s kids were in the same classes at school as some of my family. He also inspired me to take up running at a young age, because he took up marathon running at a very old age. More importantly, his daughter Margie was murdered. She was murdered by someone who had been in prison previously for murder, came out and was rehabilitated. Terry was such a generous guy that he hired the former prisoner. He showed me that he had a belief in redemption—(Time expired)

Australian Student Prize

Mr HAWKE (Mitchell) (6.48 pm)—I rise today to speak about the outstanding educational achievements in my electorate of Mitchell by both the public and private institutions. We have some great facilities in my electorate that produce great educational outcomes. In particular, this year I was privileged to present the Australian Student Prize to many young high achievers from my community. The Australian Student Prize was initiated by a former government and has been in place since the early 1990s. It is awarded annually to 500 secondary students, particularly senior secondary students, nominated by state and territory minis-
ters in recognition of excellence and achievement. Often in Australia we are very good at rec-ognising sporting achievement or social achievement, but we do need to be better at recognising academic achievement. I want to praise individually the people who have been successful in achieving these awards: Eshan Affan, Adrian Chye, Heather Cockburn, Dulakshi Fernando, Sophia Haq, Angela Hwang, Jason Kwok, David Lee, Sindura Nirmalarajan, Shashank Ramakrishnan and Rohit Rangarajan.

I want to acknowledge their fine sacrifices and achievements in their fields. They are high achievers. I had the privilege of meeting them and their families in my office. Additionally, I would also like to acknowledge Redeemer Baptist School, on the border of my electorate, in which another lower primary school achiever won an individual Australian government award. I congratulate her on her achievement. (Time expired)

Melbourne Ports Electorate: St Kilda Foreshore Promenade

Mr DANBY (Melbourne Ports) (6.50 pm)—I want to congratulate the Port Phillip Council on the opening of the promenade at St Kilda over the weekend. As usual, my electorate is the desirable tourist destination for thousands of Victorians and thousands of people from interstate and overseas. The front area from Brighton to Port Melbourne now resembles the best of international seasides around the world; I would compare it with Venice Beach in California. With the establishment of the promenade, we have a wonderful area which will be an extra attraction for the people of Victoria. I want to particularly congratulate the brilliant artists and people from the artistic sections of the Port Phillip Council for the extraordinary scale presentation of the planets. There was a 350-kilogram ball at the lighthouse and, all the way from Port Melbourne, there was a walk to Neptune or Pluto, with a representation in a few kilograms. I want to congratulate the Port Phillip Council, the artists and everyone involved in the splendid opening of the promenade and the artistic presentation of the planets.

Solar Energy

Mr ROBERT (Fadden) (6.51 pm)—I recently met with the manager of the Oxenford and Coomera Youth Community Centre in the electorate of Fadden, which is the fastest-growing electorate in the nation. She asked me a very pertinent question with respect to her centre and, indeed, the other centres in the area. The question was: why aren’t we eligible for the solar energy conversion funding that is available for schools? I did some research and you can imagine my surprise when the answer from the government was simply: ‘We didn’t consider youth centres.’ Despite the rhetoric, the Rudd government has fallen down on what should be a vital part of Australia’s alternative energy strategy. Since elected, the Rudd government has scrapped the solar panel rebate for households earning over $100,000. In the House, Minister Garrett explained that the rebate program was ‘overheating’. Perhaps that is a code word for: ‘Far too many people wanted it for a consciousness about the environment and we thought, “Well, we can’t possibly have that.”’ The bottom line for the Rudd government is that far too many indeed want to have the rebate. We should encourage them. We should provide the money for youth centres in the area to allow them to make use of alternative energies. If the government truly believes that alternative energy could be part of the government’s strategy to reduce carbon emissions, it should look to expand the number of people and organisations that can take advantage of such schemes.
Mr ZAPPIA (Makin) (6.53 pm)—I rise to speak about my visit yesterday to the Hope Valley Bowling and Community Club. I visited the club because they invited me to join them in the opening of their 2008-09 season. Whilst I was at the bowling club they showed me the work they have undertaken to ensure that all of the water which falls on the greens, the buildings and the car park is collected and then reused by the club. The work that has been carried out is very, very extensive. Indeed, it is a credit to the board of management of the Hope Valley Bowling and Community Club because, unlike too many others in the community who spend an incredible amount of time talking about the need to conserve water and reuse rainwater, this is a club that have actually done what needs to be done. They did it with the assistance of the federal government and a grant for $47,000 or $48,000, which certainly helped. The local council, the Tea Tree Gully Council, equally assisted. What is incredible about this project is that no water will leave the premises—and it is a fairly large site. This gives the club the ability to collect up to 170,000 litres of water at any one time. Obviously, as they use it, they will replenish it with water that they collect. It is a credit to them and it is a model that I believe other organisations ought to be following. (Time expired)

The DEPUTY SPEAKER (Ms AE Burke)—Order! It being 6.55 pm, in accordance with standing order 192A the time for members’ statements has concluded.

PRIVATE MEMBERS’ BUSINESS

Age Pension

Dr JENSEN (Tangney) (6.55 pm)—Crosswalk attendants—we see them every day but they are invisible. They guarantee the safety of our children but we fail to see them beyond stopping for an anonymous flag. They safeguard our children every day but we do not really see them at all. What drives these people to this onerous task? They choose—and it is not just a choice but a commitment—to contribute their time to ensure the safety of Australian children. In return for a low wage, they turn up every day to make sure our children are safe. They launder their uniforms and use their own cars to get to work. It is 40 degrees in the shade and they are working. It is freezing cold and pouring with rain but still they are working. They are among the many heroes in our society, but how do we thank them? Do we cheer their contribution to society? No. We hit them with punitive taxes. Senior citizens—and that is what most of them are—who put up their hand to aid the society they helped create just get a kick in the teeth. For such charitable acts, we penalise these people already left on a pension which even the Prime Minister says he could not live on. We are putting the boot into these people who simply want to help. They are just an example of the utter contempt with which the government treats our senior citizens.

With the baby boomers entering retirement, we have a huge pool of skills, but instead of tapping it the government seeks only to tap its income. What is the incentive to contribute when the small amount you earn results in a reduction in an already insufficient pension? Retirees who simply want to help are penalised. They must pay for the privilege of contributing
to society. Something has gone very wrong when we as a nation tell our senior citizens that we do not want their help, that we want to stick them out back till their time comes. There should be no penalty for wanting to contribute to society. There should be no penalty for being an older Australian. But the sad fact is, under the current government, being an older Australian marks you out for abuse at the hands of the state. With a pension that no-one could realistically expect to live on, with benefits that are steadily being eroded, our senior citizens are truly hurting. Next year, even those who had the foresight and capacity to plan for their retirement will feel the wrath of an uncaring government. Superannuation payments will be treated as income for the first time, meaning that many self-funded retirees will miss out on basic benefits such as subsidised medicine.

I am not talking about ultrawealthy seniors of the sort who move in the Prime Minister’s circle. These are everyday people who are just getting by. They get a pittance from the country they helped to build, they get hit for expenses they have been told were covered and, when they have the temerity to try to contribute further to society, they are forced to hand over the petty sums they earn. This is not government; it is highway robbery. We must ask ourselves who in society is most deserving. Can anyone say that the elderly do not warrant our respect and gratitude? Why then does the government seek to penalise them for simply getting old? Rather than forcing people who have already made decades of contribution to the wealth of this country do full-time work, perhaps we should be looking at a variety of solutions to help those mostly older Australians to remain active and engaged in the workforce without expecting them to work full time. But this requires a caring and sensible approach. The challenge I lay down to this government is to understand the dedication and commitment of these Australians and make the necessary changes to enable them to continue making a valuable contribution to our society without being unfairly financially penalised. Is this government up to such a challenge? My constituents and I sincerely hope so. I urge all members to support this motion to deliver some justice to those who created the great society we all live in today.

Ms HALL (Shortland) (6.59 pm)—I must say that I have never heard such hypocrisy in my entire life. The member for Tangney stands up, wrings his hands and makes the statements that he has just made, and yet he was in a government that was in power in Australia from 1996 to 2007 and that sat on its hands and did absolutely nothing. When during that time did he stand up and make a speech like this for the pensioners of his area? And he does not even stay to listen to the whole of the debate; he is leaving. Most members who move a private member’s motion will stay to hear what contributions are made by the other members.

Like the opposition’s proposal to lift the rate of the single age pension, this motion ignores carers, people on the disability support pension and widows of veterans. All of these pensions are subject to taper rates. Once again, the member is selectively choosing what to discuss. He must have had some sort of brain explosion the other day when a constituent came to see him and raised this issue. Prior to that, it seems to me that he was totally unaware of it. We on this side of the House are aware of these types of issues. We were aware of them when the opposition was in government. They are not something new.

There are now 732,000 DSP recipients, 133,000 carer payment recipients, 35,000 wife and widow pensioners, 120,000 DVA service pensioners and 96,000 DVA partners. Where were these mentioned in the member for Tangney’s contribution to the debate? Increasing the taper rate will mean that more people will get access to concessions such as the utility allowance,
the telephone allowance and pensioner transport and other concessions. However, increasing the taper rate for age pensioners will only discriminate against those groups of people that I have already mentioned as they miss out on these concessions. That shows the very narrow focus of the member for Tangney. Does the opposition think that carers, DSP recipients and widows are doing it less tough than age pensioners? Do they think that it is easy for them? Do they think that they should be ignored? We on this side do not believe in discriminating against people who are on the same sorts of benefits. But the member for Tangney had a constituent come to see him and for the first time in his life he decided that he would stand up for the pensioners in his area—in a way that he did not when he was in government.

Like the proposal to lift the single age pension, this is badly thought through. The Liberals had 12 long years to fix the pensions system, including by increasing the taper rate on all pensions, but they did nothing. Twelve long years of sitting on their hands, and all of a sudden they have discovered that pensioners are doing it hard. My mum is a pensioner, and I know that she does it hard. I know that her friends do it hard. It is not something that I have discovered just recently. That is why we are conducting a review to make sure that all pensioners, not just the ones those on the other side seek to favour, have their pensions looked at properly.

It is motions such as this that prove why it is necessary to fix the pensions system at the grassroots. It is imperative that you do not approach it in an ad hoc way. The government is determined to do this to make sure that nobody misses out. Hundreds of submissions are being made to the government’s review about how the system should be improved. Those views need to be given the attention that they deserve. When the review is complete, the government will act swiftly to fix the pensions system—unlike the previous government, which sat on their hands for 12 long years. As you well know, Acting Deputy Speaker Kelvin Thomson, this ad hoc approach, this political grandstanding, is not an answer for pensioners in Australia. We need a real solution and the Rudd government will deliver that. (Time expired)

Mrs MOYLAN (Pearce) (7.05 pm)—At the outset, I thank the member for Tangney for bringing forward this motion. I think the member for Shortland was a little misguided as to the intent of this motion, because my understanding is that it is a motion to lift the amount that an age pensioner can earn from productive employment to an amount equivalent to the senior Australians tax offset before applying a penalty that reduces the age pension—that is what this is about. The argument about single pensions is probably for another day, but I will have something to say about that if time permits. So I defend the member for Tangney’s proposition.

The coalition has proved that it is prepared to take a leading role in addressing the grave concerns many Australians have about the adequacy of the age pension. We as a party are aware of the hardships being faced by some of these men and women. I am sure the member for Tangney is well acquainted with those problems—he probably was before he was elected to this place, and he certainly has been since. These are the men and women who fought to make Australia the great country that it is, only to be let down badly by the Rudd government, which is fixated on having talkfests instead of initiating immediate financial relief for pensioners and self-funded retirees.

We have to look at this in the context of the steeply rising cost of living that has been evident since the Rudd government took office. This motion makes a lot of sense, and such a policy would be a step toward greater equality for pensioners, who often seem to be an after-
thought for the current government. Australians are now living longer than they ever have before, with an average age now of 82 years. Our quality of life is also better than it ever has been before, and people can expect to have a very good quality of life at 70 and beyond, which is something that we had not seen in past generations.

Anyone who read today’s Australian would have seen the story of Joseph Ciampa. I do not know Mr Ciampa, but I am in awe of him because the article said that at the age of 91 he is about to receive his first PhD. He is now planning to complete a masters in philosophy. This well highlights the fact that we have some very great minds and very great skills out there that go underutilised because we seem to put some kind of limit on the useful contribution people can make as they get older. Mr Ciampa is living proof that getting older does not mean you cannot be productive and make a contribution.

The late American publisher Katharine Graham had the right idea when she said, ‘No-one can avoid ageing, but ageing productively is something else.’ Many senior citizens of this country—and the member for Tangney highlighted those people who man crosswalks, for example—deserve the opportunity to be productive for as long as they want and for as long as they are physically and mentally able. They do not want handouts; they just want a fair go. They most certainly do not want to be discouraged from contributing to society and their local communities for fear of having their pension cut because they have earned a little extra income in the productive workforce.

There is a significant economic equation to the motion. The Labor government has spoken previously on boosting Australia’s productive capacity, while the shortage of skilled labourers is Australia has been well documented. The Rudd government’s May budget stated:

The ultimate test of economic reforms is in their effect on the wellbeing of the Australian people. A more efficient economy, with high levels of productivity and participation, provides the means to deliver higher incomes and a more equitable society.

So supporting seniors who want to remain in the workforce on a part-time basis provides an opportunity to increase economic efficiency with higher levels of productivity and participation by seniors, which also provides them with a far better sense of contribution and a far better quality of life. We know that people who are fully engaged are less likely to have illness. It seems to keep people well. The skills and abilities of seniors should be valued and utilised while at the same time helping them to live a little more independently.

The coalition will continue to examine ways to provide the best possible assistance to those who are amongst the most vulnerable in our society. This motion, along with the coalition’s decision to increase the single age pension, is part of the first steps to help those who are vulnerable.

Mr NEUMANN (Blair) (7.10 pm)—This motion is a stunt—pure and simple. When I was at Riverview for their community festival on Sunday, doing a mobile office, the age pensioners and the disability support pensioners who came to me talked about the stunts of the new opposition leader, and they are aware that this motion is simply a stunt. If this was Liberal Party policy we would have seen it at least once in the last 12 years. I would like to see the private member’s bill that the member put up. But 16,070 pensioners in my electorate are being ignored by this motion. It is a fact: there are 1,144 carers, 7,491 people on disability support pensions and 7,435 pensioner couples who would probably be ignored by this sort of motion.
It is interesting that we see this new-found compassion from those opposite after 11 years. Where was the fair go in the workforce? Where was the fair go for pensioners during that time? We have not seen it. In fact, pensioners are much better off under this government. We understand the financial pressures that working families have, we understand the pressures that carers have and we understand the pressures that pensioners have. We understand and we are committed to helping seniors to meet the ever rising cost of living that was bequeathed to us on 24 November last year.

We have done more in the last nine months than we saw for years under the coalition. We have given the $500 bonus as the previous government did but we have increased the utilities allowance to $500 and paid it in quarterly instalments. They could give only a measly $107. We have made sure seniors card holders can access travel concession on public transport anywhere in Australia. We have delivered on so many of our commitments, including extending the utilities allowance to many people, including disability support pensioners. These are modest measures, we accept, but they do help pensioners with cost-of-living pressures and they are a start. I can assure the constituents in my electorate that I understand where they are coming from because I grew up in a home which was a battling home as well. I can assure you that I am committed to their long-term financial security, as are so many people on this side of the chamber.

The inquiry that we have set up by Harmer and by Henry will go a long way to a root and branch amelioration of the problems we faced in the tax system and in the pension system for so long. That inquiry will be responded to by the government and will be reported back by February next year. Getting the priorities right is crucial for the government. It is crucial that we get everything right. It is not the adhockery that we saw for so many years. It is important that the people in my electorate understand that the government is committed to assisting them and providing for financial security.

It really distresses me to see the sort of motion we have seen tonight. It really is disingenuous for them to get up here after so many years sitting on the government benches and think that all of a sudden they can do this sort of thing and think that the people of Australia will accept that this is a fair dinkum approach. They could have done so much for so long but they did not provide the long-term support, certainty and security that pensioners need. The bonuses were a help but they were not factored in year after year. They were done with election commitments in mind and they were done with the election facing the government. They were all a matter of getting through the political cycle, and that is what it is about. It is not about improving the pension system; it is not about improving long-term security for people; it is about providing for a political fix. That is what this is about. All pensioners in my electorate are doing it tough and they know they are. We have seen the rising cost of living. That has been happening for some time.

It is interesting that when it comes to pensions it was Labor governments that made such a difference—the Curtin government, the Chifley government, the Whitlam government. A former federal member for my electorate, Bill Hayden, did so much for the pensioners of this country when he was social security minister. It has been Labor governments that have shown a commitment to those in need, whereas coalition governments have ignored those who have been battling for so long. You can go through one after another: the widows pension that was brought in under the Curtin government, child endowment, extensions for supporting parents.
during the Whitlam government, wife allowances, mothers benefit. It has been Labor governments which have done all this. Coalition governments have ignored the needs of my elector in terms of infrastructure and pensioners and their entitlements, and I condemn the member for Tangney what he has done.

Mr ROBB (Goldstein) (7.15 pm)—I rise to speak on the current plight facing Australia’s pensioners and I thank the member for Tangney for bringing forward this motion. In its first 10 months, the Rudd government has ignored senior Australians and, as in so many other areas of government, it has been all talk and no action. But talk offers little solace to single age pensioners, who are doing it extremely tough at the moment. They are doing it so tough that the Prime Minister and most of his frontbench have said that they could not survive on $281 a week, yet they have done nothing. They have said, ‘You hang on for another 12 months while we finish an inquiry.’ Single age pensioners, including over 6,000 in my electorate of Goldstein, who currently receive just $281 a week are facing increasing cost-of-living pressures—food, petrol, often rent or rates, and it goes on. That is why the coalition is advocating a $30 a week increase to single age pensioners by introducing legislation titled Urgent Relief for Single Age Pensioners Bill 2008 into the Senate to allow this increase to happen. This immediate additional payment will be for recipients of the single age pension, recipients of the widow B pension and recipients of the single age service pension. It is a test for Labor parliamentary members to show where they stand on the dignity of so many senior Australians. We are giving members of the Labor government the opportunity to put their money where their mouths are.

Since coming to office, Mr Rudd has announced some 170 reports, reviews, committees and commissions. Pensioners will now have to wait for yet another one before Mr Rudd takes any action. Australia’s single age pensioners need this increase and they need it now, not in a year’s time. Despite Mr Rudd’s claims that the government assisted older Australian in the budget by paying a one-off bonus, it must be remembered, despite the rhetoric of the previous speaker, that this was the bonus that Mr Rudd was planning to scrap before succumbing to pressure from both the coalition and pension groups. It is troubling to think of what position senior Australians would find themselves in today if Mr Rudd had had his way and the bonus had been scrapped.

In government, the coalition—again, despite the nonsense spoken by the previous member—were able due to strong economic management to pay a dividend to improve the financial position of pensioners. This was after paying off Labor’s $96 billion of debt. We increased pensions at two per cent a year above the rate of inflation. We introduced the utilities allowance to assist pensioners with the cost of utilities bills such as gas and electricity. We introduced the non-taxable $500 bonus payment annually. We introduced a 30 per cent private health insurance rebate to ease the financial pressures on pensioners, which Labor voted against. Labor’s proposed changes to the Medicare levy surcharge threshold will further hurt pensioners by forcing up premiums for private health insurance—so much for compassion.

We also legislated that the age pension be set to at least 25 per cent of male total average weekly earnings or increased by the CPI, whichever is greater. As a result, the maximum single rate pension is now $72.80 a fortnight higher than it would have been otherwise. Partnered pensioners are now better off by $122.60 every fortnight than they would have been under Labor’s ad hoc approach to increasing pensions. To further encourage workplace participa-
tion, we increased the amount of age pension a part-time pensioner receives above the income test free area by reducing the pension income test withdrawal rate from 50c in the dollar to 40c and we halved the assets test taper rate from $3 to $1.50 per fortnight for each $1,000 of assets above the allowable asset limits—a whole host of things which improved the lot of Australia’s seniors.

Instead of offering token sympathy, Mr Rudd must start offering solutions and delivering on them now. There is no reason why the government could not take some immediate action while continuing with their longer term review. In its first budget, the Rudd government, backed by a $21 billion surplus inherited from the coalition, delivered increased taxes and spending and even a politically motivated slush fund, but failed to deliver for pensioners. Something must be done, they are a group who have done so much to build our country and we owe them a great deal.

Mr RAGUSE (Forde) (7.20 pm)—It is a real pleasure for me to speak on this particular motion tonight. It is interesting that about a month ago in this chamber I presented a petition about pensions and a whole range of issues around them. A number of the members have mentioned tonight that we hear every day about the concerns raised by pensioners, and for us to debate about this tonight across this chamber is certainly of interest. I think the member for Tangney is well intentioned in his motion but what some of the speakers, certainly on the opposition side, have spoken about tonight does not really get to the heart of what I understand his motion to be. As speakers on this side of the chamber have stated, unfortunately a lot of it is misinformed. A lot of the concern about what this motion is about and what pensioners can and cannot do is not explained.

About two weeks ago there was a whole lot of media coverage around some statements that I made and there was certainly a move by the opposition and others to drive a wedge by saying that I somehow was going against the statements of my own government or Prime Minister. I am here tonight to say that is just not true. If you look at the statements that I made they were very similar to the statements that we are making here tonight about the need to understand and consider pensioners generally.

This particular motion is a very important one when we are talking about those who have the ability to earn further income, particularly those who have got to the stage of being able to retire, take on a pension at 65 and continue to work. The problem is that I do not believe that it goes far enough. Again, my statements of only a couple of weeks ago that led people to suggest that there was some dissension within our government were essentially what we are saying on both sides of this chamber tonight. There is not enough information for us right now to make any definitive statements about what we should or should not do with pensioners. Even in the debate tonight people are coming up with different understandings about this motion and the concerns that pensioners have. I want to speak about a particular pensioner in my electorate who is certainly of a senior age but still has the capacity to work. In South-East Queensland and Queensland generally we have a major skill shortage. There are many people who have appropriate and professional skills and who are able to re-enter the workforce but many of those have come to me and said: ‘The rules around pensions are really tough. We can’t earn more money simply because of the rules.’

Opposition members interjecting—
Mr RAGUSE—I recognise the agreement of those on the other side of the chamber. It is something that we all understand as members but, unfortunately, it was the previous government that did not change the rules. That is something that I am bringing forward tonight—my understanding of where we need to go. The concerns raised in the media two weeks ago and my petition of four weeks ago were essentially saying that we need to make some decisions very quickly about how we are going to resolve this. It does not mean that we are looking at one-off payments, the $30 increase. I think we all understand that economically and financially it is just not the right way to go. We must understand what we need to do to better service pensions.

We have announced the Harmer review, the Henry review and ways of looking at the overall taxation system and how payments can be made not only to pensioners but also to other people in need in our society. That review has to go ahead. I know that the new Leader of the Opposition is talking about his own review. Understandably, he wants to be able to come up with some definitive statements as well about what we need to do for pensioners, but the reality is, as a government, we have committed to making some change. We have committed to understanding more about the overall pension and taxation system. No decisions can be made until we really understand the money that comes in and the money that needs to go out in payments. The constituent I mentioned previously came to me and said he was willing to work, to come back into the workforce, but the incentives were not there. We do need to recognise that. We need to understand how much we might be seen to be advantaging certain people who can work over people who are taking benefit in other forms of payments who may be able to do some work or none at all. It is simply about understanding our overall position.

In summary, I commend the member for Tangney for bringing this to our attention. I think there probably needs to be a lot more thought go into what this motion is all about. What we are saying on this side of the House is: stand by our review and please support us in it. The review will certainly tell us a lot about the system of taxation, the excise and all the other payments that come into our funds and how we then redistribute those. Pensions are certainly right at the core of our support for those people in our community.

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

Human Trafficking

Debate resumed, on motion by Ms Rea:

That the House:

(1) notes that:

(a) the insidious act of human trafficking is the second largest criminal activity in the world, and certainly the fastest growing; and

(b) the Australian government is committed to a ‘whole of government’ approach to tackling human trafficking; and

(2) recognises that the Australian government, through its Asia Regional Trafficking in Persons aid project and contribution to UNICEF’s work, continues to play an active role in strengthening the key institutions responsible for identifying and addressing human trafficking;
(3) acknowledges the role of the non-government organisations (NGOs), their unique expertise and the assistance they provide to trafficked persons;
(4) recognises that the Australian government continues to work with AusAID, NGOs and foreign governments to ensure that the crime of human trafficking is continually brought to light, and that all members and senators continue to raise awareness of this international human rights violation; and
(5) applauds the government's establishment of a National Round Table on People Trafficking as a measure to involve all interested stakeholders in the fight against this despicable crime.

Ms REA (Bonner) (7.25 pm)—All of us in this House have come with great enthusiasm to represent our local electorates and to make very important decisions both on a local and a national level. Indeed, the debate we have just witnessed regarding the issue of age pensions certainly highlights the matters of national significance that we discuss. But I do not believe there is any issue that is more important for us as elected members of this parliament and as citizens of this country to discuss, debate and move to eradicate than that of human trafficking. We cannot call ourselves a civilised society when human beings are traded as if they are simply goods or chattels. None of us can celebrate our freedom when we live in a world where human beings are exploited and are held in bondage and slavery.

Unfortunately, this is not a minor issue. In fact, human trafficking is the second largest criminal activity in the world, next to drug dealing. It is something that we all as individuals and as people who have some responsibility and influence must talk about—and we must encourage every campaign at every level to eradicate this very insidious crime. The US State Department estimates that every year around 600,000 to 800,000 people are trafficked across international borders—a staggering figure. What is even more staggering is that it is estimated that there are millions of people—around two to four million more people—trafficked within their own countries. Of course, what is most frightening about those statistics is that there are more people who are victims of human trafficking today than there were at the height of the African slave trade. This is a startling acknowledgement of how far we believe we have progressed but, on what is a very basic, essential human right, we still have a long way to go.

Of course there are many reasons why people are victims of human trafficking: force, fraud and coercion are all very insidious methods that see many people taken against their will, exploited and forced into situations over which they have no control. We know that it is often women and children who are the greatest victims of this. In moving this motion, I want to encourage the government to continue its campaign to be involved in ending this terrible crime. I am so pleased that the Minister for Home Affairs has established the National Roundtable on People Trafficking. This matter is of such importance and significance that we need everybody around the table working together to eradicate this crime. We need more than just one government or one entity to be able to resolve this situation. The roundtable brings together all of the key voices in this country who have long had the knowledge, the expertise and, indeed, the compassion and concern to campaign against this crime. Members include three ministers, many of the NGOs, service providers, victims of crime organisations, religious bodies, unions and employer groups. It has brought together all those people who can contribute so much.

We also have a strategy to end trafficking. As a country we have developed a strategy to combat it which includes comprehensive antitrafficking laws, specialised teams in the AFP,
enhanced visa arrangements for potentially trafficked persons, a victim’s support program, funding for the Institute of Criminology, and so many more initiatives.

We also have to acknowledge that as individuals we also have some responsibility. I urge all Australians to avoid using those products which are on our shelves as a result of child slavery and human trafficking. We know that there are areas such as coffee production and chocolate production where slave labour is used, and I encourage all Australians to check out the fair labelling website to end this crime. (Time expired)

**Mrs HULL** (Riverina) (7.30 pm)—I congratulate the member for Bonner for bringing forward this private member’s business motion here this evening. It should be a part of the role of every member of parliament to be very actively involved in this bipartisan effort to ensure that people are protected. In my case, I raise the issue of child trafficking.

Child trafficking is one of the gravest forms of child abuse in the world today. Over 1.2 million children are trafficked each year and it primarily happens in poor countries. Many of these children are from our Asia-Pacific region. There are factors like the lack of laws against trafficking or like domestic violence, which make children more at risk of trafficking. Girls are especially at risk because in many cultures they often have a lower status than young boys. Children are trafficked because—and make no mistake about it—there is a demand for their labour or a demand for their bodies. It is wealthy countries that are at times the greatest perpetrators of these crimes. Wealthy countries are part of the problem as their citizens provide demand for the trafficked children. For example, Australians have been identified as sex tourists in 25 countries. Places like Bali and East Timor are emerging as easy targets for those who would exploit children for their own gratification.

There are many issues surrounding the trafficking of children. Currently I have a young intern working with me doing a project on birth registration. It is a fact that if we could assist countries in developing models and proposals and bringing forward ways in which children could be registered at birth then it would be far less likely that they would be able to be trafficked with nobody knowing where they had been sent.

What we have is the most dire and disgraceful situation where you have children trafficked out of places like Cambodia, Thailand and Burma into other countries where they are put into the sex industry or into other slave labour industries—but primarily in the sex industry—where they then become victims of HIV-AIDS. Instead of being treated and assisted, these children are then thrown out on the street because they can no longer earn their people traffickers money because of their possible HIV-AIDS infection. They are then treated like criminals. They are treated as illegal immigrants in that country where they have been violated and taken without their parents’ consent, most of the time. Most of the time parents in poor countries believe that they are giving their child an opportunity. They are given some story by the trafficker that they will put the child in domestic service or they will teach them how to be employed, and they will be able to send money home to their families. Sometimes we see these very poor village people are tricked into providing their children as victims in horrendous crimes against humanity. Sometimes we see these children physically abused and physically violated and maimed, such as having limbs removed or having acid thrown into their faces. We have all seen shocking programs on children who have had acid thrown into their faces so that, by begging on the corners of streets or on church steps, they can earn money for these violators of people. The tourist feels sorry for the child and hands over money.
This is a crime against humanity, a crime that needs to be stopped, and one very important factor will be to see impoverished nations being able to put in place registration of children for birth. That would be a major step forward to protecting these children. If their existence were known it may be just that little bit more difficult to traffic these children. I applaud all of those NGOs who work tirelessly on the ground—UNICEF, World Vision. All of these NGOs work in the most difficult of scenarios. I am aware that in Indonesia we have some great workers in UNICEF who have been able to implement the beginnings of registration of children for birth, and that will make an enormous difference. I again congratulate the member for Bonner. This is an issue that we should all be involved in. *(Time expired)*

Ms Neal (Robertson) (7.36 pm)—I rise to support the motion by the member for Bonner and also join in congratulating her in taking up this very important initiative. Human trafficking is the sanitised term for slavery. In the modern world often women and children are bought or stolen into slavery. The type of trafficking that has the greatest visibility is the trafficking of women for the purposes of prostitution. There are also incidences of trafficking for forced labour, for domestic servitude and, most offensively in my mind, for the removal of organs. This obviously is a demand of the Western world.

The scope of the problem is difficult to measure due to the nature of the crime. These people, largely women, are in positions of powerlessness, often having crossed borders illegally, and there is great difficulty with, firstly, detection and then successful prosecution due to the clandestine nature of the operations and, often, links with underground criminal activity. The level of human trafficking is therefore uncertain, but the US Department of State estimates that in 2006 between 600,000 and 800,000 people were trafficked worldwide.

The greatest concern for us in the Australian parliament is that this is not just happening in some remote part of the world; this is happening here in Australia. The estimates of the number of Australians involved vary between 100 and 1,000. Obviously because of the nature of the crime, it is difficult to be certain. But there certainly are many women and children—and, in some cases, men—who are affected by human trafficking. In Australia there have been 117 investigations into human trafficking since January 2004 and only four convictions. In fact, of these four convictions, three are under appeal.

At this stage I wish to acknowledge the Erina Community Baptist Church from my home on the Central Coast, part of the Catalyst Social Justice Committee, for raising this issue with me earlier in the year. Their concern for those suffering in these circumstances is recognised and applauded. I also wish to acknowledge the contribution to this issue of ACRATH, the Australian Catholic Religious Against Trafficking in Humans, who visited me last week. The Rudd government takes the crime of human trafficking extremely seriously.

The two areas that I believe need particular attention are, firstly, improving the success of prosecutions for trafficking; and, secondly, the transformation of the visa system for those who are trafficked, from a largely criminal investigation basis to a more humanitarian basis. Presently, Australia’s efforts to combat trafficking in persons are focused on prevention, detection and investigation, criminal prosecution, and victim support and rehabilitation.

The government has a $38.3 million anti people-trafficking strategy which provides for a range of measures, including additional trafficking prosecutions and training; the victim support program in its third phase, with victim witnesses returning to Australia to assist with prosecutions, organised through the Office for Women; two additional senior migration officer
compliance (trafficking) positions in the Asian region; and research into trafficking trends in our region at the moment to try to ascertain the scope of the problem.

The government has established a National Roundtable on People Trafficking comprising government, anti-people-trafficking NGOs, service providers and victims of crime support organisations, as well as the legal, employer and union sectors. The government values the views of stakeholders and has conducted a review of the people-trafficking visa framework, which includes discussions with a range of non-government organisations. The outcomes are currently being considered.

This is an important issue. I take great heart in the bipartisan approach in the Main Committee today. I feel that, with the enthusiasm and support from all sectors of the parliament and the community, we can make great strides. I look forward to working with everyone to achieve that.

Mr HAWKE (Mitchell) (7.40 pm)—I rise to commend the member for Bonner for her fine motion that is before us today on the insidious act of human trafficking in Australia. Indeed, human trafficking does occur within Australia. It is something all of us need to be aware of and to be ready to take action on in the most bipartisan fashion. I have spoken recently in the House on sex slavery and the trafficking of people in Australia. At that time we were awaiting a High Court decision. There have only been four successful trafficking prosecutions in the last eight years. There is a real sense that we need to examine and constantly re-examine the adequacy of the laws in relation to people trafficking and whether the laws are working or not. While I cannot comment specifically on the outcome of that case, because it is subject to appeal, with only four trafficking prosecutions in eight years we need to do more in this place to strengthen the laws in Australia and ensure that people who are engaging in this insidious activity are captured.

Recently I was lobbied by groups in my electorate. The Baulkham Hills Baptist Church, which forms part of the Catalyst group, and the Starfish Ministries from St Paul’s Anglican Church at Castle Hill are very committed, caring and compassionate people. They have committed themselves to ensuring that we do the best we can in this country to look after the innocent victims of this terrible industry and ensure that we afford them all the compassion we can give them from the government.

I want to congratulate decision makers in the current government for the establishment of the national roundtable—I think it is a fine initiative—and in the previous government for action on eradicating trafficking. Important action was taken. In 2004 the Australian government’s action plan to eradicate trafficking comprised a number of positive measures, including the appointment of a Federal Police task force, participation in the Bali regional process that combated trafficking and revision of the protection measures for victims. While this was a positive move forward, I am pleased to see the national roundtable. I think there is more that we can all do in this place to see more achieved.

One of the major concerns I have raised previously is that, with the immigration system at the moment, we treat victims of trafficking in this country as people who are only useful to us in the form of witnesses against the perpetrators of these acts. We need to take a more compassionate approach with people who are victims of such horrific crime. There is room for change in the immigration system to cater for people who are victims of horrendous acts such as people trafficking and sex slavery. I recommend we look at that as part of this national
roundtable review. Immigration is one intricately linked area that will require improvement if we are to do something positive.

Poverty is one of the major drivers of trafficking and exploitation of human beings. We have a role to play in our region. If you look at the statistics, the Asia-Pacific region has 79 per cent of the forced labour slavery problems in the world. Between 13 million and 27 million people, depending on the estimates, are trapped in slavery in the world. The International Labour Organisation says that a conservative estimate is about 12.3 million people. The other NGOs that work in this field say it could be as high as 27 million. Indeed, in Australia today there are 100 people in such circumstances at any given time, and that is if you take the conservative estimates. Some people suggest that it could be up to 1,000 people trapped in slavery within our own country, within our own borders. That is why I welcome the motion by the member for Bonner. I commend any government that seeks to take further action to ensure that we eradicate this practice.

All members here would be familiar with the movie Amazing Grace. We can take inspiration from legislators in previous parliaments who worked for generations to achieve freedom from slavery. That can inspire us all as modern-day legislators to continue that work and to work in a bipartisan fashion to achieve better outcomes for the unfortunate victims trapped in this horrific industry. Indeed, I feel we can make some big improvements as part of this government’s process, especially in the areas of immigration and the adequacy of the law in prosecuting perpetrators of these acts.

Ms SAFFIN (Page) (7.45 pm)—Whilst I am happy to add my voice to that of the honourable member for Bonner—and I commend her for bringing this motion before the House—I cannot say that I am happy to talk about what I consider to be the most heinous of crimes; that is, human trafficking. As the motion notes, it is the second largest criminal activity globally—and that speaks volumes. The very name and the very idea are repulsive. It goes against the grain of the moral fibre of humanity. Can you imagine people plotting and planning to traffic people? That is what they do. That is their job. That is how they make money.

If we lived in another country, it could be our sister or our brother. It is not just women; it happens to girls and boys, men and women, our neighbours. It is in our neighbourhood and in the broader Asia-Pacific region—not solely there but the figures are high there. Can you imagine the sort of people who traffic? They are people without a conscience, people without what I call a moral compass. I have had the misfortune to come face-to-face with a few traffickers in my time and in my work. They were in our neighbourhood, up on the borders, and also, unfortunately, in Australia. As the honourable member before me said, there are at least 100 people at any given time in Australia who are trafficked. Yes, trafficking happens and some of them end up in Australia. The fact that they get here is a cause of concern for all of us—that they still get here with the systems we have in place.

I have met quite a lot of women and some young boys who have been trafficked. They were primarily overseas, but some were here. The fact is that if people end up here due to human trafficking then we as a nation, as communities and as governments have an obligation to treat them with the greatest of care and the greatest of respect, and that goes also to our visa system—and I know that is an evolving area. I know that when we give visas it is generally to people who will be witnesses to help effect prosecutions. That is very important, but we also
have to give visas for care, protection and compassion. I know that that is one of the issues on the agenda with regard to trafficking and the roundtable.

We have to be really clear about the definition of ‘trafficking’. In practice, when we are dealing with trafficking, it can become confused with smuggling. Sometimes we tend to mix them up. It is important that we keep focus. Smuggling leads to trafficking; you cannot really have the trafficking without it. However, smuggling can happen for other purposes. The definition is this:

‘Trafficking in persons’ shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

So it is quite a broad definition. That definition comes from the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. We have to be mindful of that broad definition when we are thinking of it and not confuse it with prostitution and other things.

I would like to commend the government for the roundtable that has been convened and commend the Minister for Home Affairs, the Hon. Bob Debus, for his work in that area. I take the approach that this is something that requires absolute bipartisan, multipartisan, support to make sure that we respond in the appropriate ways and respond to the criminality of this—because it is a crime—as well as to the human dimension, where we have to provide that care and protection. I would like to say thank you to the honourable member for Bonner for bringing it to our attention.

(Mrs MOYLAN (Pearce) (7.50 pm)—I thank the member for Bonner for bringing this motion to the House and for raising the issue of human trafficking once again in this place, as it continues to be a matter of great shame to the international community. The inability of the international community to come to terms with this is a comprehensive failure of modern governments.

I would like to touch on the issue of trafficking in children in particular. I have spoken on this matter before in this place and I participated in the UN convention on the rights of women, in Beijing in 1995, where the matter just raised by the member for Riverina, the registration of children, was hotly debated, with a commitment to try and do more to make sure that was achieved. Nineteen ninety-five was a long time ago and we still have not achieved it.

More particularly, I speak as leader of the delegation to the Inter-Parliamentary Union and as the permanent delegate in the last parliament. I led a delegation to Cambodia early last year; the member for Riverina was part of that. I was once again confronted—we were all confronted—by this terrible trade in children. In Cambodia we met a young woman who had been picked up by the aid agency Caritas and who had been sold into prostitution, into a brothel, when she was still in preschool. At the age of 19 she had full-blown HIV-AIDS and was tossed out into the street with no support, no medication and inadequate food—nothing at all. If it had not been for Caritas, no doubt she would have continued living on the streets and would have died on the streets. It was Caritas that picked her up, and thank God that there are
agencies like Caritas who do this incredible work. But I felt that somebody should have to pay. Why can’t we work together in regions and as parliaments, as international partners, to try and put laws into place that stamp out these practices, that prosecute brothel owners who take children into this terrible trade?

After that I wrote to all 142-odd members of the IPU, who met in Bali shortly after that visit to Cambodia. I did so with the full support of the member for Riverina, the current Speaker of the House of Representatives and Senator Marshall in the Senate, who were also part of the delegation. I received about 20 responses from members of countries represented at the IPU meeting in Bali. We talked about what we could do. I spoke also at a UNICEF meeting in Bali and, after I spoke, I had quite a reaction from the African women and from the women of South America, who were deeply distressed at the number of children who are simply disappearing in South America. It is really a shocking situation. They felt the need to come together on a regional basis to try and get some cross-border policies, similar to the ones that we negotiated when we were in government—and I am pleased now to see the Rudd government continuing this—to make sure we have a regional approach to this so that we can strengthen laws and we can prosecute.

I felt ashamed, after talking to some of our federal policemen in Bali, that so many Australian people are the ones who are demanding these children to satisfy their own strange tastes. That is why there is a continuation of this trade—because the demand is there. The demand is coming from people that you and I probably bump into every day. That is very disturbing. We should be very worried about it. We should be very worried about it in this parliament and we should be very worried about it as part of an international community. More must be done to stop it. It simply has to be stopped.

As the member for Bonner said, there is nothing worse than this trafficking. We thought that we had stamped it out 140 years ago. We did not; it is worse than ever. The fact that it involves so many children is a matter of great shame to each of us as members of the international community, and we should be able to do something about it. I would like to say a lot more on this subject but time does not permit. UNICEF and many other United Nations agencies and non-government agencies have worked for decades to prevent abuse and to offer support to the abused. Our resolve to strengthen laws and law enforcement is essential to further and to give effect to these efforts. (Time expired)

Mr PERRETT (Moreton) (7.55 pm)—I rise to support the motion put forward by the member for Bonner and I commend her for the initiative. I also thank the member for Pearce for her contribution. As someone married to someone who has worked in child protection for 19 years—and I will celebrate my 13th wedding anniversary tomorrow—I understand her passion in speaking out against these horrible things.

Child exploitation and slavery are things that we all should be concerned about. Human trafficking is today’s slavery. Traffickers use violence, threats and abuse to force people to work against their will and they use people as commodities for another’s gain. Typically, victims are forced into prostitution, domestic service, forced marriage or even forced manual labour. More than half of all people trafficked are children who are forced into manual labour, trained as soldiers or—I am sad to say—sexually exploited.
UNICEF estimates that around 1.2 million children are trafficked worldwide every year. Human trafficking denies people their basic human rights and is a sickening crime that represents the absolute worst of humanity. As Abraham Lincoln said way back in 1864:
I am naturally anti-slavery. If slavery is not wrong, nothing is wrong. I cannot remember when I did not so think and feel.

That sounds like a logical thing to say now, but we have to understand the context in which it was said in 1864. It was something that ultimately led to Abraham Lincoln being assassinated.

We need more people of courage to speak against this horrendous crime, people like Abraham Lincoln and William Wilberforce. We need our modern-day versions. Thankfully, we have organisations like the Australian Catholic Religious Against Trafficking in Humans organisation. I met with representatives from ACRATH here in parliament last week. While as a child it was quite a harrowing experience to be in a room alone with two nuns, I found this to be a wonderful experience. It was great to see their commitment to such a wonderful cause. I admire them for their courage and for what they are trying to do. ACRATH is only a small part of the global struggle to eliminate human trafficking in Australia, the Asia-Pacific and internationally. ACRATH’s cause involves protecting victims of trafficking; amending the visa structure for trafficked persons—protecting the victim, basically; making community education accessible to trafficked people; improving community education for the wider community; and advocating better training for prosecutors and the judiciary.

The Rudd government is committed to eliminating people trafficking at home and abroad. We realise that to do this we need to take up the fight on a number of fronts: prevention, detection, investigation, prosecution and victim support. Australia has ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. We are also party to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Australia has tough laws in place to deter traffickers, a victim support program, enhanced visa arrangements for potentially trafficked persons and specialised investigation units in the Australian Federal Police. These measures are helping to keep people trafficking in Australia relatively low. The Australian Federal Police have undertaken 150 investigations into trafficking allegations since 2004. This has led to 34 charges, including eight convictions, with 14 still before the courts.

However, people trafficking is still growing in some parts of Europe and South Asia. That is why Australia needs to work with our neighbours and non-government human rights agencies to help fight people trafficking. That is also why the Minister for Home Affairs convened the first National Roundtable on People Trafficking in June this year. The roundtable brought together non-government organisations, victims-of-crime organisations, religious groups, community legal centres, unions and government agencies. As a result, a working group was established to develop guidelines for NGOs dealing with trafficking victims.

Through AusAID, the Rudd government is also delivering a $21 million program to help combat people trafficking in Asia. AusAID is working with countries like Thailand, Laos, Cambodia, Indonesia, Burma and Vietnam to reduce the number of human-trafficking victims, help the recovery of victims and prevent the exploitation of children. I particularly commend the efforts of some of the Thai representatives I met recently. Many people would be shocked to know that, more than 200 years after Lincoln and Wilberforce first led the cause against
slavery, human trafficking and human exploitation are still happening throughout the world. This is totally unacceptable and should not be ignored.

I thank the member for Bonner for bringing this matter before the House and acknowledge her efforts to uphold the cause of the oppressed. It is obviously up to us and governments around the world to do more. (Time expired)

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

Credit Cards

Debate resumed, on motion by Mr Bruce Scott:

That the House:

(1) calls on the Federal Government to amend finance legislation so as to prevent credit providers from sending unsolicited letters offering an increased credit limit to credit card holders; and

(2) notes the amended legislation would stipulate that, for a credit card limit to be increased, the card holder must make the first approach to the credit provider.

Mr BRUCE SCOTT (Maranoa) (8.01 pm)—At the end of April this year, the total balance outstanding on credit cards in Australia was some $44.4 billion. That is about twice the federal budget surplus. I know that credit cards are now a way of life. The Reserve Bank of Australia estimates that there are some 14.1 million credit card accounts across the nation and almost a million young people between the ages of 18 and 24 own a credit card. So it is important that at this time of uncertainty in the global financial market all Australians, young and old, are confident in their ability to deal responsibly and sensibly with money and debt.

I believe it is also a responsibility of Australia’s banks to provide the best knowledge and support to their customers so that they are adequately equipped to make solid financial decisions. Yet at the moment it is quite common for banks, large and small, to send letters to their customers with unsolicited offers to increase their credit card limits. All one must simply do is complete the form accompanying the letter and return it to the bank. Not much effort is involved on the part of the customer. He or she simply lets the bank dictate his or her credit limit. The customer then finds that he or she has an increased limit—sometimes substantially increased, despite the customer having been happy, most likely, with their previous limit. In fact, there is anecdotal evidence that people will take out a second credit card simply to pay off the balance on their first card without reducing any debt. This is fiscally and socially irresponsible. This is how people find themselves with uncontrollable debt.

I call on the federal and state governments to amend financial legislation so that the only way a credit card limit can be increased is by the customer approaching his or her financial institution—not the other way around. The current global financial crisis is a lesson to all that lending to a person unable to adequately repay their debt can have disastrous and far-reaching consequences. Better education is needed for borrowers. A more honest and fair approach is required by our financial institutions. With the current global financial crisis, it is imperative that we ensure Australians are adequately equipped to spend wisely and deal with debt.

The former Liberal-National coalition government understood the importance of financial responsibility. Not only did we pay off the previous government’s $96 billion debt but we also handed the current Labor government a $20 billion budget surplus and provided Australians
with a secure, robust economy; one in which they could have faith and confidence. In 2005 we established the Financial Literacy Foundation to give Australians easy access to important financial information and advice.

Last year the foundation released its report on the financial literacy of Australians. Whilst it is reassuring to see that Australian consumers consider themselves to be confident in their ability to deal with credit card debt, some of the report statistics were rather alarming. Twenty per cent said that they do not regularly pay off the balance owing on their credit cards, 13 per cent said that they make the minimum repayment on their credit card balance and 17 per cent said that they were not comfortable with their level of debt.

Supporting my motion is the alarming statistic that 21 per cent said that they will use debt to buy things that they cannot afford. One in five Australians are buying items that they cannot afford, yet our banks regularly send them letters offering to increase their credit card limit. This is simply not financially responsible and we must ensure that we do everything in our power to ensure Australians do not fall into a cycle of debt. I commend the motion to the House.

Mr GEORGANAS (Hindmarsh) (8.05 pm)—I too rise to give support to the motion before the House on the scandalous conduct of some of the financial institutions that are tempting members of the public, often those with the most limited capacity to service debt, to accept offers of increased credit at interest rates that are, I am sure, the highest in the financial market. This is a big issue. It is as big as the debt that people accumulate. It is as big as the volume of money that is wasted on extraordinarily high interest rates and as big as the assets that can be lost through default. It is as big as the hole that unaffordable debt can leave in a person’s life.

The Reserve Bank of Australia observes that the ratio of household interest payments to disposable income has skyrocketed in the few years since 2003. For decades the interest payments ratio has been in the vicinity of six to eight per cent of disposable income. Since 2003—in the last five years—this has skyrocketed to between 12 and 14 per cent. The limits of credit card accounts without an interest-free period have increased from $15 billion in 1995 to $50 billion in 2002 and to $110 billion this year. Outstanding balances on credit and charge cards have doubled in the last six years from $22 billion to $44 billion.

Interest charged on credits cards has, for a number of years, been in the vicinity of eight to 10 per cent more than the standard variable rate. People are currently paying 19½ per cent instead of 9½ per cent. Financial institutions and loan sharks continue to issue credit cards without regard to people’s capacity to pay, offering quick but very expensive cash availability, costing many people the proverbial arm and a leg for the convenience of accepting offers of readily available cash, right there and then.

This is an issue that seriously affects many Australians of all walks of life and in most income brackets, but of course it has the greatest potential to devastate those with the most limited means of servicing and paying off debt. The House of Representatives Standing Committee on Legal and Constitutional Affairs heard last year of the failure of self-regulation within the financial industry to impede irresponsible lending practices that continue today—whether it is the practice of targeting elderly persons who have equity in their own homes and offering them credit cards to transfer equity into very expensive debt, or the practice of targeting others on limited or fixed incomes who do not even have the asset base to cover financial diffi-
culties should they arise. This particular section of the finance industry is geared to maximising financial returns through debt servicing and even penalties for breaches of conditions, maximising their return on the back of unscrupulous manipulation and exploitation of those who just cannot say no.

This issue has been around for a long time. Parliaments around Australia know of this issue and the difficulties that unsolicited credit offers can cause for many of our fellow Australians. The traditional question always needs to be addressed. Within Australia we have distinctions between the jurisdiction of the states and the territories on the one hand and the Commonwealth on the other. Recent banking issues raised within my electorate office pointed to the fact that mortgage lending by the banks and credit unions is a Commonwealth matter but loan sharks and similar businesses were a matter of state consumer protection legislation. This distinction was seen a few years ago when the Australian Capital Territory passed the Fair Trading Legislation Amendment Bill designed specifically to meet the needs of the financially vulnerable in the ACT community.

A coordinated and comprehensive approach to financial institution practice is needed within Australia. Having state laws regulating financial businesses operating products within state boundaries simply does not make sense. That is why this Rudd Labor government has had its green paper on financial services and credit reform in circulation with a view to doing what is identified in its title: ‘Improving, simplifying and standardising financial services and credit regulation’. The purpose of this paper is to consult stakeholders about a range of financial services and credit reform initiatives, including consideration of the most appropriate regulation of a range of remaining credit products such as credit cards, personal loans and microlending. These issues, from key initiatives included on the COAG reform agenda and the outcomes of the paper consultation process, are due to be put to COAG in the very near future.

I would like to congratulate the government for moving on this issue. I look forward to learning of the outcomes of the government’s consultations in support of the little players, the vulnerable and those who need every bit of help they can get when dealing with the more unscrupulous within the finance industry. The Commonwealth should now look to what we can do. There may be those who simply blame those consumers who sign the form for bringing financial difficulties upon themselves, or those who do not do the homework or exercise the self-discipline to refrain from accepting an offer to triple their available credit. (Time expired)

Mr JOHNSON (Ryan) (8.11 pm)—I am very pleased to support the motion by my friend and colleague from Queensland the member for Maranoa because I know that the people of Ryan would be very warmly supportive of the spirit of his fine motion. I want to specify on the record for the people of Ryan that the motion is about amending legislation to prevent credit providers from sending unsolicited letters offering an increased limit to credit card holders and to note that amended legislation would stipulate that, for a credit card limit to increase, the cardholder must make the first approach to the credit provider.

Let me say very strongly that, as someone who believes in free enterprise and the place of businesses in our system, I appreciate and respect the role of banks in our community. They are an important part of our economic architecture. I also want to make it very clear that I do not support extreme capitalism and I do not support exploitation by any business, including
banks. Governments must have a role in consumer protection. This extends to protecting consumers from over-enthusiastic bankers.

My father used to say to me, ‘Son, neither a borrower nor a lender be.’ Maybe this has some merit but, of course, in our modern system people need credit and banks are one source of that credit. Banks are very profitable in this country. They are global businesses as well. They rest very much on the mums and dads in our communities all over the country. They rest very much on their profit from ordinary people—from people starting businesses to young couples who might have just got married and are looking to buy a car or a home. So banks have a very strong place in our society. A tool through which young people and all kinds of consumers are to exercise some economic freedom is credit cards. Credit cards are very much a part of our lifestyle. Many of us would almost say that they are an indispensable tool but, at the end of the day, this piece of plastic is potentially very dangerous to people who do not fully understand and appreciate its power. I call on the federal government and on all legislators across this country, particularly here in the House of Representatives, to take a very considered view of this motion. It will protect people who might be vulnerable or somewhat exposed to the heavy hand of some banks and bankers who might try to take advantage of certain consumers.

I have received many letters from various banks seeking me to be their client and from the bank I do business with to increase the limit on my credit card. Very wisely, I declined to do so. I thank my beautiful and lovely wife who in particular says to me, ‘Michael, be careful of banks.’ She is a very wise and lovely person and makes sure that I fully understand how banks might be trying to take advantage of me as a consumer because I do not take much notice of financial matters.

I want to point out to the people of Ryan that the banks in this country are certainly doing very well and enjoying great profits. That is why I remind the banks that, in the spirit of good business practice and their important role in our society, they should appreciate the position that they have versus the position of consumers who might not be as aware of the relationship between the two stakeholders.

I want to draw the parliament’s attention to the profit of the Commonwealth Bank. The net profit after tax on a statutory basis increased seven per cent to $4,791 million and on a cash basis by five per cent to $4,733 million. In the short time left to me, I will point out that the Westpac bank in its press release on 1 May 2008 announced cash earnings of $1,839 million for the six months ending 31 March 2008, up 10 per cent. After including significant items, the net profit after tax was up 34 per cent to $2,202 million for the six months. So they are two successful banks. I congratulate them on their profits but also remind them very strongly that they would not survive without the hardworking Australians who bank with them and therefore that they should take care of their customers.

Ms RISHWORTH (Kingston) (8.16 pm)—I rise tonight to support the essence of the motion proposed by the member for Maranoa. However, I would like to point out that at the moment consumer credit law does lie with the states and territories. This is one of a number of financial consumer issues that the federal government can work with the states to reform. I am pleased to see that the Rudd government is doing just this.

The motion before us tonight brings attention to unscrupulous marketing tactics that encourage people to increase credit limits on their credit cards. More and more Australians are
opting to purchase basic goods on credit. This is coupled with an increasing number of outlets providing credit card facilities. For example, you can even use your credit card at McDonald’s. With an average of 2.2 credit cards per Australian, providers of credit cards need to behave in an ethical way that does not trap the most vulnerable people into unserviceable debt. Reserve Bank statistics reveal that, over a one-year period, the national credit card debt has blown out, with the average credit card debt being $3,200 per card. This compares with the average debt of $2,000 per card less than two years ago. We have seen a significant increase in debt per card. This rise in credit debt is concerning, especially if it translates into more consumers unable to service their debt.

In a survey conducted in 2007 by Veda Advantage, 75 per cent of those surveyed reported that they were worried about their ability to make their debt repayments over the next 12 months. Alarminglly, over 16 per cent of people in financial difficulty are using large portions of their income to meet debt payments and one per cent are unsure of how they are going to make their next payment. The anxiety of credit stress causes significant suffering and can often lead to mental health issues such as depression, anxiety and insomnia. Not only does financial strain take its toll on individuals, it is also a contributing factor to many family breakdowns. That is why I am pleased that the member for Ryan has been consulting with his wife to make sure that they deal with their financial situation in a responsible manner.

The motion before the chamber today refers specifically to the need to prevent credit card providers from sending unsolicited letters offering an increase in credit. Essentially the practice results in tempting consumers with more credit even if they have not requested it. This practice has been raised by constituents in my electorate of Kingston on numerous occasions. I have heard many stories of my constituents who have been annoyed, frustrated and at times even caught by this practice.

In particular, it has been brought to my attention that these unsolicited letters offering an increase seem to be sent only when customers pay interest on their credit card debt. One constituent reported to me the following scenario. For many years this constituent always paid in full each month the amount owing on their credit card. During this time they never received a letter offering them a credit increase. These letters only came when my constituent was unable to pay the full amount and was charged interest by the bank on their purchases. This scenario did not occur once but was a regular pattern: a letter offering more credit was sent only when interest was charged and not during the periods of time when full repayments were made. This type of practice is appalling to me. Not only are credit card providers trying to entice people to obtain more credit but it also seems that they encourage this when credit cardholders are unable to pay off their full repayments.

I support the concept in this motion proposed by the member for Maranoa that it should be up to the consumer to initiate a request of a credit card limit to be increased. This would ensure that consumers are in control of their financial destiny. As I highlighted in my opening remarks, the responsibilities for consumer credit law do lie with the states and territories. However, I do recognise that the Rudd Labor government is very keen to work with the states and territories to reform this area of legislation. Therefore, I urge all states and territories to look at this piece of legislation and to act accordingly.

Ms LEY (Farrer) (8.21 pm)—I appreciate the opportunity to speak in the House today on unsolicited offers to increase credit card limits. For many of us credit cards are a necessary
evil, but for some, as we have heard so eloquently from the earlier speakers, they are an absolute noose around one’s neck. We have all heard from constituents that have been completely caught in a credit card trap where they simply move from credit card to credit card, taking advantage of low- or no-interest upfront fee periods and then moving to another card or having two or three credit cards going at the same time, all of which adds up to circumstances where it is completely impossible to repay the balance. In many cases, if they have got equity in their home they will capitalise that interest and payments from the credit card into a home loan, and that is considerably adding to the current home loan affordability crisis.

I would like to remind the House of what I see as a worrying bubble in consumption spending, and certainly much of it is fuelled by credit card debt. If we look at the level of household debt as a percentage of income, we see that in 1988 it stood at 30 per cent but now it averages 160 per cent. On an economy-wide scale, as we have seen, this leaves us open to economic shocks. On the level of household income, it leaves us open to enormous household income shocks to have an increase in personal debt going from an average of 30 per cent of your income to 160 per cent. We all know that consumption patterns have changed quite remarkably in the last generation. As I said, I am worried about the bubble of credit card fuelled debt that is a feature of our lives today. So I am very supportive of this motion.

Unsolicited credit card limit increase offers are often just too good to be true. Companies use words like ‘Congratulations, your increase is pre-approved’, ‘Get a little more out of every day with a credit limit increase’, ‘This is not something to be missed’ et cetera. But consumer advocates and policymakers are concerned about unsolicited credit card limit increase offer marketing strategies and the likelihood that they will lead to more consumer debt, particularly for low-income and otherwise vulnerable consumers.

The Consumer Action Law Centre says that there should be no doubt that banks and credit providers use psychological manipulation to create an environment where certain customers are convinced, often against their better interests, to accept an unsolicited credit card limit increase offer. Creditors are supposed to check a customer’s capacity to repay any extra debt. The increased credit offers get around this by putting in small print: ‘I confirm that if I utilise the new credit limit that is available on my card, I can repay my increased minimum monthly payment of $X as required by lender Y credit card terms and conditions without substantial hardship.’ It is a tiny little line of tiny print at the bottom of the page!

We know that people open these letters when they are at their most vulnerable. They may have two credit cards maxed out. They may have a store card which has some fantastic rate of interest. They may have an interest-free period that is just running out with Harvey Norman. All of these may be combining and this may seem like an offer that they simply cannot resist. When they should be going to a financial counsellor and saying, ‘Let’s get this sorted out and get into control again,’ they are in fact just taking these offers of extra debt.

I do not want this to be a bank-bashing exercise. It has been quite accurately pointed out that the banks run responsible account management practices, but I think they have let their credit card arms get out of hand and I think they need pulling back into line. I do not think it is something unreasonable for the banks to do. I know they probably feel quite defensive after the motion here tonight, but I urge them not to feel defensive but to take action and recognise that, from a consumer’s point of view, enough is enough. The Banking and Financial Services Ombudsman found that lenders who do not appropriately investigate the borrower’s capacity
to pay can be liable for maladministration, but I have never heard of any instances of that, so I do not know that the ombudsman’s office is working effectively in that case. I would like to think it could.

Twenty-one letters were analysed by Deakin University Business School researchers in a study of this subject, including one from GE Money which offered a borrower a 39 per cent increase on an existing $10,250 credit card limit, with the opening words ‘I have some great news’. There is no great news in this subject whatsoever, and I urge support of the motion.  

(Time expired)

Ms PARKE (Fremantle) (8.26 pm)—The Rudd Labor government is committed to taking the pressure off family budgets and tackling the problem of spiralling consumer debt with long-term, considered policy. The action proposed by the member for Maranoa to deal with the potential danger of unsolicited credit is in itself neither a solution to the debt burden and other financial problems that many families are already trying to cope with nor a complete protection against the accumulation of further unwise debt. In fact, in the current circumstances one might observe that there is likely to be considerably less appetite for personal credit and less capacity to extend such credit as a result of the present global financial turmoil. Indeed, considering the fact that it was under the Howard government that personal debt exploded to its existing levels, one might say that that particular ship has sailed.

I would also note that consumer credit law is currently a responsibility of the state and territory governments. Nevertheless, through the Council of Australian Governments, COAG, the Rudd government has taken the initiative of developing a system of national regulation of consumer credit, to be administered by the Commonwealth. When this occurs, the Commonwealth will be in a position to better monitor the operative framework of consumer protections. Cooperative national regulation of consumer credit, led by the Commonwealth, will provide a consistent regime that addresses the gaps and conflicts that currently exist. The new scheme will introduce licensing, conduct, advice and disclosure requirements that meet the needs of consumers and businesses alike and that will ensure that consumers are better protected in their dealings with credit products and credit providers, including brokers and advisers.

We need to address the reasons that people turn to credit they cannot afford and accept credit they have not sought. Common sense tells us that the two main reasons for this are, first and foremost, that people are overwhelmed by financial pressures and, second, a lack of appreciation of the risks and costs involved in taking on debt, especially credit card debt. In those terms, constraining the ability of credit providers to offer increased credit limits may in the end be less effective than increasing the financial literacy of Australians. There are some great programs and information services available to the public. One task of government is to ensure that the financial planning information that is available reaches those who need it through effective financial education, in formal schooling, through government service providers such as Centrelink and through adequate support to non-government service providers such as community legal centres.

In my electorate I know that the Fremantle Community Legal Centre receives a steady stream of people who use its financial counselling service. From my time as the solicitor in charge of the Bunbury Community Legal Centre I have seen firsthand the desperate financial situations that people can find themselves in and the value therefore of proper financial coun-
selling. I look forward to the report of the COAG Business Regulation and Competition Working Group which is due next month and looks at the regulation and provision of financial counselling.

I say in conclusion that the action proposed in the motion before us today is presently a matter for state and territory governments, with their jurisdiction over consumer credit laws. Nevertheless, it is true that, through COAG and through a range of other measures, this government is committed to tackling the full scope of the reforms needed to protect consumers and to make our financial system more transparent and safely regulated in the interests of Australian families. The issue of unsolicited credit offerings will be considered as part of this process.

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

GRIEVANCE DEBATE

Debate resumed from 15 September.

The DEPUTY SPEAKER (Mr AJ Schultz)—The question is:
That grievances be noted.

Local Food Industry

Mrs MOYLAN (Pearce) (8.30 pm)—It is a great privilege to be able to raise some matters of concern not only to my constituency but to the whole country—and that is concerns for farmers and food producers and the importance of food security in our country. I think it is fair to say that many Australians—many of us, in fact—take for granted access to an abundance of fresh food. Agriculture has long been the cornerstone of our nation, so we have never really questioned our farmers’ ability to produce the fresh food that we all have access to. Indeed, such is the abundance of food production in Australia that much of it is exported to other countries.

I think it is quite concerning that many Australian children today do not comprehend where milk comes from, for example, or indeed the grain to bake their bread and provide their breakfast cereal. Many young people are unable to identify a variety of fresh vegetables. Therefore, it is vital for us as elected members of this place to ensure that everyone understands the importance of local food production and the value of farming beyond the mere monetary considerations, because this is an issue of national security and national safety.

Times have changed. Many Australian farmers have been battling drought, some for over a decade, and irrigators increasingly battle future water allocations and availability. Those broadacre farmers who have been lucky enough to receive reliable rainfall struggle with the flow-on effects of an industry going through immense change, including cost pressures—as do those who faced drought, which was an added difficulty for them to cope with. Aside from marketing changes and the vagaries of international trade and global markets, one of the largest and most alarming hurdles confronting Australian growers today—our primary food producers, indeed—are sharply rising costs. These are the costs of farm inputs such as chemicals, fertilisers and fuel. All of these are necessities in optimal food production and they have all risen sharply in price.
Australian people deserve access to local, clean, quality and, dare I say it, affordable produce, but never has the quality and safety of Australian food production been more topical, given recent events in China. However, Australian consumer choice is threatened and it does not help when people do not understand where their produce comes from or how important local food production is. It is not until we lose something, quite often, that we realise how valuable it is. To destroy and lose local farm production would be catastrophic and extremely difficult to reverse in the short term. I think that at no time in our history have we seen a greater demonstration of this than when we had the sustained droughts through north and central New South Wales when I first came into this place in 1993. We saw the flow-on impact to small country towns and communities, and that impact was very dramatic. Some of those businesses that were lost were never re-established, as was the case for many farms.

There is now more at stake for our nation’s farmers than ever before, for with higher input costs this season a crop failure would be catastrophic. When you look at the cost of the inputs and the amount of money that farmers might have had to have borrowed to plant the season’s crop, it would be a failure of major proportions. We hope that is not the case. I think we need to be doing a rain dance in this place to make sure that our farmers across the country get good finishing rains this season.

Mr Hawke—It is pouring outside.

Mrs MOYLAN—Good. I am pleased to hear it. That is fantastic.

The DEPUTY SPEAKER (Mr AJ Schultz)—The chair brought it with him.

Mrs MOYLAN—Good. We hope that your good luck continues. To illustrate the input costs and how they have gone up, a local fertiliser distributor provided me with the most recent figures on some of the key input costs for growers. Nitrogen, or urea as it is commonly known, which is a crucial fertiliser and in Australian soils is absolutely essential, has risen from $519 a tonne in March 2007 to $598 a tonne this year, with prices expected to hover around $1,146 a tonne in March 2009. Similarly, nitrogen phosphate, or DAP as it is commonly known, went from $594 a tonne in March 2007 to $1,236 a tonne in March of this year. It is anticipated to rise to $1,696 a tonne by March 2009. Potassium, or muriate of potash, is currently $736 a tonne. That is $272 a tonne more than in the year before but an astonishing $491 a tonne less than the predicted March 2009 price.

Price rises are not limited to fertiliser. Chemical costs have also risen sharply. Figures supplied by a Landmark store in my electorate illustrate that glyphosate, a weedkiller, doubled in price over the year. The price for 450 active glyphosate in March last year was $4.75 a litre and rose to $6.25 litres in August. It reached $10 a litre in January this year and peaked at $13.50 a couple of months ago. It can be purchased now for $12.50 a litre. I am sure that those figures will not be lost on you, Deputy Speaker Schultz.

After years of drought and in some cases low market prices, farm profit margins cannot take further hammerings. Return rates are slim. Sometimes they are as little as 3.5 per cent or below. Farming has become a bigger gamble than ever. For example, a Pearce farmer made their 2009 estimated cash flow calculations available to me. Based on a 5,000 hectare wheat belt cropping and wool property, my constituent calculated a $40,84 profit per hectare, or $204,200 per annum. This number is, however, without the other farm expenses, including personal costs, taxation and repayments, as well as capital purchases. Assuming the season is
good, keeping their debt repayments to a minimum, the farm is expected to lose $36.06 a hectare. That is right: it will have a loss, and the loss equates to about $180,300 for the coming year.

While this is only one example, the constant high farm input costs, increasing farm financial risk, is taking its toll. I am told that primary producers need between an eight and a 10 per cent return on capital to remain sustainable, so 3.5 to 3.7 just does not cut it. To get over the stumbling blocks, some farmers have indicated that they plan to decrease animal and plant stocks and make cuts to employees and delay yet again the improvement of soils for sustainable farming into the future. These are not really very satisfactory solutions; they are not solutions in the long run for an industry which feeds our country. Nevertheless, farmers are can-do people and Australian producers have become some of the most efficient in the world. Long ago, government subsidies, still large and prevalent in the competing economies of North America and Europe, ceased to be available to the Australian farmer.

While some may be of the view that if it is not a profitable enterprise then get out, I do not share that view. Being able to produce food is essential to Australia’s food security and in ensuring that Australian consumers have access to locally produced, high-quality, uncontaminated food. It is well worth examining some of the ways that government can provide policy that assists farmers through difficult times and assists with the continuity of food supply, because it is considered a matter of national priority.

Just talking to some farmers in Pearce, it is clear that they do have some constructive ideas on how government can help the agricultural sector. These include—and it is not an inclusive list but just to give some ideas because I am out of time—that the government support alternative or natural phosphate products or fertiliser subsidies; that they implement multiperil crop insurance; and that they accelerate machinery depreciation schedules and make it a flat rate across the board, encouraging greater farmer investment in new machinery. Our farming community contracts will be heavily reliant on imports which will be deeply concerning both in terms of national security and in terms of all Australians having the option to buy quality, reliable produce. (Time expired)

**BHP Billiton**

**Ms GRIERSON** (Newcastle) (8.40 pm)—My grievance tonight is to focus on the importance of knowledge and research to Newcastle and the nation. The key to my grievance are some of the activities of BHP Billiton that are not endearing it to the people of Newcastle, in particular continued job losses at the BHP Billiton Technology Centre at Shortland. Before I reflect upon these job cuts, I want to impart to the House some industrial history. BHP, the big Australian, as it used to be known, commissioned its first steelworks in Newcastle in 1915. It established the Port Waratah Stevedoring Company in 1923. In 1932, it purchased the Lambton colliery near Newcastle. In 1957, it opened its central research laboratories in Newcastle. In 1980, when the Newcastle BHP steelworks were at its peak, it employed 11,500 people. BHP was part of the very fabric of our community and played a huge role in shaping our institutions, culture and economic development.

Under the Hawke government, the need for BHP to restructure and modernise was recognised with the 1983 Button steel plan—a $100 million plan that gave bounties to BHP on the production of certain products for five years, gave antidumping measures and the promise of productivity improvements and wage restraint from the unions in return for an undertaking to
keep its three steel plants running, invest in modernisation and protect jobs. The outcome for Newcastle after a specific allocation of $42 million from the government was that the Newcastle steel plant, a plant built in 1912 that produced 1½ million tonnes a year, was closed in 1999 and written off at a cost of $220 million to BHP and a human cost of ongoing hardship for many of the workers of the BHP Newcastle steelworks.

The world does change and industry does come and go, but by 1999, when the BHP steelworks closed its doors, its workforce was down to about 2,000 people. When the plant closed, BHP workers walked out with dignity, celebrating with pride the contribution they had made to steel making in Australia. But there was sadness too. Indeed, depression and suicide were a notable legacy of the BHP closure for some time—one less documented perhaps than the $220 million asset write-down to the BHP.

Certainly parts of BHP’s operations and infrastructure lived on in Newcastle under different guises. OneSteel, which was split from BHP in 2000, continued and continues downstream with the tube making and wire milling operations—albeit with a much reduced workforce. Indeed, early this year, OneSteel announced that it was closing the former BHP bar mill at Mayfield, with a net loss of about 180 jobs. This was in addition to the 240 jobs lost just before Christmas last year when OneSteel closed its pipe and tube plant. Job losses are always regrettable, but I am amongst the first to acknowledge OneSteel’s industrial and stock market success. When OneSteel was spun off out of BHP, its resources and capital were less than optimum—actually they were appalling.

Under the leadership of Geoff Plummer, the Newcastle plant prospered and OneSteel went on to become one of Australia’s most successful companies—a tribute to management, staff and workers who made that possible. When the OneSteel job losses were announced, I did speak with Geoff Plummer and told him of my desire to gain more high-end, smart jobs for Newcastle. Having seen too often plant suffering from lack of investment and jobs walk out of town as a result, I stressed to him the importance of the high-end jobs to embedding and sustaining opportunity in Newcastle. With an average weekly income of $825 in the Hunter region, it is the clever, high-tech jobs that can sustain our long-term growth and prosperity.

Another part of BHP’s operations which did continue in Newcastle was its technology centre at Shortland. This centre undertakes research and development on minerals and is part of vital work being undertaken by scientists in institutions all around the nation. Part of my grievance tonight is BHP Billiton’s decision to axe, firstly, 16 contract employees at the Shortland technology centre last month. This decision was announced just hours after BHP announced a record $17.8 billion profit. This is an enormous profit that titillated even the most hardened industry and economic commentators. To put it into perspective, the Commonwealth’s budget surplus this year was $21.7 billion; BHP’s profit was 17.8 billion.

Certainly, it came as a shock to us in Newcastle to hear of job losses straight after such a big profit announcement, but things got worse. After a meeting with senior executives from BHP Billiton the week after these job losses were announced it was clear that the future of the remaining 137 workers at the centre was far from assured. I thank Liz McNamara and Bert Nacken from BHP Billiton for responding to my concern and coming, at my request, if not demand, to Canberra to meet with me and to discuss the realignment of their research activities—code for ‘most of the job losses will be in Newcastle’.
Last week BHP Billiton announced that almost 80 of the permanent scientists at the BHP Technology Centre would lose their jobs in Newcastle, with more losses possible in the next few weeks. BHP have advised that their coal and minerals research projects will now be based in Perth and that other research positions will be redeployed to the Americas. They are, after all, an international company, but I hold grave fears that the Shortland Technology Centre will actually be closed, given that the jobs that do remain at this stage are in marketing and other areas at the lower end of the technology scale.

I have made it clear to BHP Billiton that we understand the importance of its contribution to the economy of our region. Newcastle people are currently building the NCIG coal loader, in which BHP is a major partner. We are also involved in the decontamination of the former BHP steelworks site, probably the largest and most complex industrial decontamination activity ever to be undertaken in Australia. BHP Billiton is also the owner of several coalmines in the Hunter Valley. It is the people of Newcastle and the Hunter who dig up that coal, transport it by train to the port of Newcastle and load it onto the ships that deliver it around the world to fuel the global economy.

So we do understand the importance of BHP Billiton to our regional economy and we are proud of our contribution, but we do not want to do just the grunt work in Newcastle and we are tired of seeing centres owned by BHP Billiton suffer from a lack of investment and vision, close down and strip Newcastle of further economic opportunity. We are always happy to do the heavy lifting. After all, that is our history—we have done that for 100 years for BHP Billiton. But we want some of the high-end research jobs as well. A 50-year track record in metallurgy and minerals research should leave behind a better legacy for the people of Newcastle and the Hunter than scientific and environmental black holes.

I call on BHP Billiton to show leadership in energy research and to rethink how it can best align its research activities with the work being undertaken around clean energy in Newcastle. The Australian government’s approach to encouraging clean energy research and development is a collaborative one that actively seeks industry partnerships with research. I would like to see BHP Billiton using its existing research centre and partnering with the outstanding energy research effort being undertaken in Newcastle.

The CSIRO energy flagship in Newcastle is soon to become the national headquarters for the National Solar Institute. It is looking for industry partners to trial solar thermal projects that reduce energy consumption and increase energy efficiency, particularly by big industrial energy users such as steelmakers and electricity generators. Newcastle has a proposal before the government for the establishment of a clean energy innovation centre that would be a centre for information, advice and collaboration for SMEs working on clean energy technologies. BHP Billiton could consider getting involved in just such an innovation centre. It would be an excellent addition to Newcastle and BHP Billiton’s efforts to fight climate change.

The government also announced last week a $100 million global institute to speed up the development of carbon capture and storage technology to reduce carbon emissions from blast furnaces and coal-fired power stations. The institute will aim to accelerate carbon capture technology by facilitating demonstration projects and identifying and supporting necessary research. CSIRO and the Cooperative Research Centre for Greenhouse Gas Technologies are leading research into CCS and the global institute is an excellent Rudd government initiative to help push this research further and faster. Much of that research has been carried out at the
Newcastle CSIRO energy flagship and at the University of Newcastle clean energy centre, a part of the CO2CRC. This is in addition to the previously announced National Low Emissions Coal Initiative, a $500 million program to accelerate the development and deployment of technologies that will reduce emissions from coal use.

So there are tremendous opportunities for collaboration between governments and industry in clean energy research. It is an opportune time for BHP Billiton to invest in the future of the planet and realign its research efforts to the very concentrated activity being undertaken in Newcastle, the place where it all began for them. We would be more than happy to explore mutual benefits—after all, we have history. The BHP Technology Centre is actually located in a research precinct near the University of Newcastle, which, as I said, conducts excellent research into energy use and efficiency. It is also located two kilometres west of the CSIRO energy flagship—the national flagship. Come on, BHP Billiton. Get with the clean energy program and find a way to make the 100-year investment in Newcastle work to put it at the cutting edge in leading the climate change solutions. I look forward to meeting with Megan Clark from BHP Billiton in the near future to discuss research efforts that could benefit Newcastle, the nation and BHP Billiton.

**Graffiti**

Mr SIMPKINS (Cowan) (8.50 pm)—My grievance relates to the ongoing challenge of graffiti and the fact that this like other antisocial behaviours is in fact everyone’s problem. I am sure all members of this parliament are used to having people come to our offices, ring us up or email us to talk about problem issues that are important to them but by any stretch of the imagination could never be considered to be a federal matter. One of the issues that consistently gets brought to my door is the issue of graffiti. There are some particularly bad problems out there. Rather than just look upon this problem as being a local government or a state government problem, I have always taken this issue on board. My staff are well and truly used to dealing with graffiti, referring that on to the appropriate place to get the problem fixed.

This evening I would like to talk a little bit about some of the things that I think work in Cowan and things in Western Australia that I think are about to work a whole lot better now that there has been a change of government over there at the state level. I see my position as the member for Cowan as not only a great responsibility, a welcome responsibility, but also an opportunity to show leadership within the community. I think that too often in schools children and teachers are used to seeing the local member of parliament show up with the flag or say a few words or maybe make a gift presentation at graduation, and that is often where it ends. I have certainly welcomed the opportunities that I have been given and that I have sought to go to schools and talk in some detail about community matters and the strength of community.

One of the messages that I like to give to young people and students, whether primary or secondary, is that there is a way to make your mark on the world and the positive way to do it is not by leaving a tag on a wall or burnt rubber on the road but rather by creating or building something good. Often the attitudes that children take into their adult lives come from the examples that their parents have set them. What I ask of the children and the young people in these schools that I go to is to stand up and be counted. I tell them that they have great opportunities in their future. I say to them that no matter what the socioeconomic of the school that I am at, any one of them could one day be Prime Minister of this great
country. To make a point, this is really all about taking the opportunities of working to achieve one’s goals. To that end and to make these young people feel that they are a stronger part of the community, I have asked them in all of these schools whether they would join my team, which I call the Cowan Community Watch, or the junior version, and work with my office to get things done. I say to them, ‘If you are out there and you see things that are broken in the community, that are marked, that need to be fixed—that are unsafe or whatever—you tell my office and we will work to get them fixed.’ It does not matter whether it is a local government or a state government matter, we will fight for that in any case.

That has been well embraced. I have only been to about a quarter of these schools so far and I have got almost 100. While my Cowan Community Watch exists at a senior level and a junior level, I would like to raise some things that have come out of this exercise so far. I have received reports regarding a number of parks in the electorate with graffiti. I have visited most of these locations myself. I observed a number of examples of the most foul and explicit graffiti undertaken in one of these parks done by, as I later found out, year 9 girls who were having a factional dispute, you might say, in their school. I will not name the school, but I went to the principal about it and he got right onto it. The problem has been sorted out. The councils, I understand, are about to clean it up or have already cleaned it up. So that was a great success.

I would also like to pay tribute to some of the people who have specifically contributed. Mr Dylan Gardiner of Alexander Heights reported something in the vicinity of 65 graffiti tags within a 50-metre area of Mirrabooka Avenue in Alexander Heights. The officials of the city of Wanneroo got right onto that as soon as we reported it.

Often people feel disempowered when they make these types of reports. A person rings the council, or does this or that and then finds that nothing ever seems to happen. We need to encourage people to report and keep reporting. Even if they do not join my team, I will take any reports they have. We follow up the matter and keep going back and forward until the job gets done or until we understand there has been a final result. This is about trying to encourage people to keep reporting to make the community stronger and to make it harder for the bad guys out there to make their mark. I am trying to avoid everyone else feeling they have to give up.

In Ballajura, Mrs Margaret Ryan, a well-known activist and a person who really cares, reported some local kids who were marking graffiti or acting suspiciously on a building site. We worked with the city of Swan and the local high school to deal with that.

In Landsdale, young Teah Arrowsmith also reported graffiti, which was cleaned up by the city of Wanneroo shortly thereafter. In Koondoola, students from the Waddington Primary School—Muka Jasanovska, Steven Nguyen and Tabitha—reported broken glass, graffiti and broken basketball rings in the local park. These are outstanding efforts from people who have risen to the occasion and have stepped forward to make a difference in the community. I say ‘well done’ to these young people—and we are talking about kids who are about 10 or 11 years old. They have embraced the message, they believe in a stronger community and that is a great step forward for the future.

Up in Carramar, Mrs Joanne Wroblewski reported to my office graffiti and damage to a local park. It was not near houses, but we were able to work to get that sorted out and to make the area a bit better protected as well.
This is just one part of the big picture to try and work against graffiti in the long term. Before I sum up I will just move quickly through the state government’s action. As I mentioned, there has been a change of state government in Western Australia. I certainly welcome the return of the Graffiti Taskforce in Western Australia, where state government forces will join with local government to make sure that graffiti is dealt with quickly. This will also be backed up by forcing graffiti criminals—these vandals—to clean up their own mess, which I welcome. I also welcome greater fines for the sale of spray paints to minors. There will be harsher penalties in general and also a renewed focus on tackling graffiti on public transport.

Obviously, it is great to start out with changes to laws and law enforcement. That is very important but, at the same time, so is a community attitude of ‘I will not take it any more’—and obviously I am not advocating vigilantism. I am saying that it is about people caring enough to make the call and engage with my office. It is working. We have over 150 members at the junior and senior levels, and it is working very well. I think people feel that they are being taken seriously whereas possibly before they were not.

The three pillars of success, in my view, in the future will be better laws and law enforcement, better community strength by people wanting to be counted to make society better, and, ultimately, better parenting. That is what it comes down to in the end. As I am sure everyone has said in the past, more parents should look in the mirror and ask: do I want my kids to turn out exactly like me? Am I the best person I can be? That is what it comes down to in the end.

Corio Electorate: Tourism

Mr MARLES (Corio) (9.00 pm)—There were 184,000 international convention or conference visitors to Australia during the year ended 30 June 2008. ABS statistics indicate that the national conference market is worth $7 billion in direct expenditure, contributing 0.7 per cent to GDP, while employing some 85,000 people. In terms of location and proximity, there is perhaps no better place in Australia than Geelong at which to host conferences and conventions. Positioned less than 1½ hours flying time from Adelaide, Hobart, Brisbane and Sydney, Geelong is located right in the heart of Australian eastern seaboard activity. To get you there, there is an array of transportation choices. By air you can travel direct to Avalon, Geelong’s own airport, from Brisbane or Sydney. The drive from Tullamarine airport is just over an hour. That airport, as one of Australia’s main international gateways, provides extensive links to the Australian domestic network and beyond.

Once you arrive in Geelong, some of the nation’s greatest tourism assets and picturesque vistas await. Positioned on the shores of scenic Corio Bay, Geelong is the gateway to both the Bellarine Peninsula and the Otways and all the fantastic tourist attractions that those areas enjoy—the Great Ocean Road; the Otway National Park, incorporating the award-winning Otway Flyover; many great wineries and restaurants; and, of course, the beaches, including the world-famous Bells Beach. Closer to Geelong you will find major golf courses, great shopping and opportunities to go sailing on Australia’s most beautiful north-facing bay and at the end of the day some fantastic restaurants at which to have a meal and plenty of hotels in which you will get a good night’s rest. These are just some of the reasons that Geelong has already been the site for numerous conferences and corporate events.

Currently in the Geelong region there are many small- to medium-sized venues that can cater to the needs of equivalent sized conferences. Data supplied by the region’s peak tourism body, Geelong Otway Tourism, indicates the current conference resources are supplying a
great economic benefit to the region. In the financial year 2007-08, conferences in the region attracted just under 19,000 delegates who stayed an average of 3.7 nights each. These visits provided an economic benefit of $56.5 billion to the regional economy, a figure which was, in itself, a substantial 15 per cent or $7.3 million increase on the previous financial year. However, these figures represent the tip of the iceberg as they are only reflective of conferences that are organised through Geelong Otway Tourism’s business unit. There are many venues that take bookings directly and the revenue their activities generate is unquantifiable. However, what is clearly indicated in the data is that the Geelong region has a well-established basis for conferences’ success. With a further 25 conferences confirmed through Geelong Otway Tourism and another 10 currently under consideration, equating to a forecast of $40.6 million in regional revenue, we have evidence that suggests the assets and resources of the region, whether natural or otherwise, are combining to make Geelong an attractive proposition for the conference market. What must now be considered are ways to build upon this existing success.

In my former role at the ACTU, at one stage I was tasked with organising what is a major event on the ACTU calendar, the ACTU congress. The equation on that event is simple—three days and 1,000 participants—although, as I was to discover, the answer was not so easy to find. Having had a successful congress in Wollongong in the year 2000, we were keen to have another regional centre as the host for the 2003 conference, thinking that it would both aid the conference by keeping delegates in a more confined area and provide a more tangible economic benefit to whichever region could accommodate us. As a local resident, my first inquiries were made through the various Geelong venues that are available, hoping I would be able to find a financially competitive option. This was a great opportunity to showcase Geelong’s many attributes but to my dismay I was to discover that value for money would not be the issue; rather, there were no venues large enough or with adequate floor plans to meet our requirements. Subsequent searches across other regional centres returned similar results and ultimately the 2003 congress was held in Melbourne.

This was an opportunity lost. Had Geelong had sufficient resources to accommodate the ACTU’s congress requirements, the potential windfall to the local economy would have been huge. Research indicates that conference delegates spend an average of $300 per night, compared to $112 per night for all visitors. When you equate those figures with a three-day conference of 1,000 delegates, as was the case with the ACTU congress, you discover the potential revenue lost as a result of having inadequate facilities was in the vicinity of $1 million.

The indicators are clear. Geelong has what continues to prove an attractive site in which to host conferences and conventions, but to maintain the momentum and increase the appeal the region must seek to cater to larger conferences, for therein lies tremendous economic and employment potential. It is for these reasons that I am tonight adding my voice to those who are currently in support of establishing a large-scale conference venue in central Geelong which will cater for in excess of 1,000 patrons in classroom-style seating.

Existing plans developed by the City of Greater Geelong have centred on the design of a facility able to cater for between 1,250 and 1,500 seated delegates, which will also provide for an exhibition space of between 3,000 and 4,000 square metres. Moreover, this tri-level design allows for multiple plenary areas and break-out rooms. It is formulated with future expansion space incorporated and includes provisions for ancillary facilities such as parking, a 200-plus
bed hotel, retail and associated services. While blueprints for a final proposal have not yet been generated, I feel that the principles displayed in the building design process to date are sound and cater for the major attributes needed by this type of facility.

Financial forecasting conducted by council and based on existing plans provides further indications of the potential benefits the creation of this facility could entail. Preliminary data suggests that in the first 20 years of operation the facility would generate direct revenue of approximately $356 million, while Geelong’s businesses and services also stand to benefit, with analysis concluding that for the same 20-year period the wider community would reap in net terms approximately $423 million. Combined, this would mean a forecast $779 million in extra revenue coming into the region.

The existing design would also facilitate the creation of 617 direct jobs in initial construction and in the ongoing maintenance and staffing of the facility, with a further 715 indirect jobs created in the wider community through increased consumption and tourist expenditure. Furthermore, the facility could provide a focal point for local businesses and education facilities to conduct their own activities like graduation ceremonies and meetings. By providing an enhanced ability to forecast large influxes of people into the region, there would be increased opportunities for tourism sector expansion through the provision of such activities as pre- and post-conference delegate holidays and day trips.

Clearly there are benefits that can be drawn from the creation of a large convention centre in the heart of Geelong, be they financial, social or cultural. It is my opinion that the processes undertaken by the council to date in seeking to further this project have been consultative and considered. They have engaged relevant stakeholders and sought their input. But two of the largest issues that will still need to be overcome throughout the planning process are those of location and financing.

On the issue of location, the council’s existing planning processes identified 10 potential sites. In choosing those sites, council officers in direct discussion with Geelong Otway Tourism, Tourism Victoria and the Victorian Department of Sustainability and Environment created a selection matrix factoring in issues of ownership, topography, strategic positioning, traffic and access, acoustics, urban design and planning. The end result was the formulation of three preferred sites, all centred on the inner Western Wedge and Cunningham Pier precincts.

I firmly believe that in the ultimate decision-making process of choosing the most appropriate site for this facility it is incumbent on our city to make greatest use of its natural assets. To my mind, one of the most important assets available to us in Geelong is Corio Bay. It is a bay with so many positive natural attributes, from its protected and placid waters to its northern aspect and scenic vistas, and it is further enhanced by the excellent facilities that are now either established or under construction along the Eastern Beach area. What better image could we offer those seeking conference facilities than a site that takes in all of the beauty and charm of Corio Bay? What better image to leave with those who visit our region? Corio Bay should be a central element in the site selection process from here on in.

Financially, the figures I previously outlined should serve as an inducement to any potential investors. With the facility forecast to reap $356 million in direct revenue over its first 20 years of operation, there is a clear enticement for private sector involvement, and I think this should be encouraged. As the federal member for Corio, I will continue to lobby governments for funds that will benefit the future prosperity of the Geelong region, but I also feel it is im-
portant that Geelong not become government dependent. The great cities of the world have developed their own prosperity and investment and I think that Geelong, as an actor on both the national and world stages, should be seeking to do the same. We need to be actively pursuing every private sector option that is possible for the building of a convention centre. I look forward to working with the council and other relevant stakeholders over the coming months to see this important project come to fruition and for Geelong to further stake its claim as the conference centre of Australia.

**Flinders Electorate: Human Security**

Mr HUNT (Flinders) (9.10 pm)—I want to speak this evening about three issues which cause grievance in relation to human security in the electorate of Flinders. I will start if I may at a railway crossing I attended on Saturday. It was the Bungower Road railway crossing in Somerville. We were in the presence of Gwen Bates. Gwen Bates is the mother of Kay Stanley, who, sadly, was killed at another railway crossing along this particular line—the Frankston to Stony Point line. When she approached the railway crossing, she was unable to see the flashing lights in the sunlight and there were no boom gates. Gwen Bates is not able to revisit the site of the loss of her daughter so a group of perhaps 40 to 50 people visited the Bungower Road site. The reason we visited it is that it is also, in an urban area, a railway crossing that has no boom gates. It is also the site where, sadly, a local resident, Geoff Young, was lost in the not too distant past. There are still no boom gates at the Bungower Road crossing, nor are there boom gates to be found at the Baxter-Tooradin Road, Reid Parade, Urquhart Court, Park Lane, Disney Street or the HMAS Cerberus main entrance.

This is an urban area that has seven railway crossings with no boom gates. These are, sadly, just two examples of which I am personally aware, having visited the site where Geoff Young was lost—and I pay respects to his family—and having spent much time with Gwen Bates who has embarked upon a very simple campaign since the loss of her daughter, Kay. She wants to see every urban railway crossing in Victoria have boom gates and then ultimately see every railway crossing, urban or rural, have boom gates. An accident is an all too frequent occurrence and as Gwen has said, ‘In this day and age, in the 21st century, if you can find $16 million for a Cezanne painting, surely you can find money to cover all of the railway crossings in the state.’ It is I think a fair ordering of priorities.

I think that represents something of profound importance. When you come into contact with somebody who months after the event is still convulsed by an uncontrollable grief, it causes all of us as legislators and as elected representatives to remind ourselves of the profound human duty we have in this chamber—in this place—to make sure that we deal with the critical and human security needs. Covering our crossings to make sure that there are no more tragedies like Geoff Young’s and to make sure that there are no more tragedies like Kay Stanley’s—who was, as Gwen Bates has reminded me on many occasions, carrying her grandchild—is something that we have to do. There is no question in my mind.

This brings me to two other profoundly important human security needs within the electorate of Flinders. On Phillip Island the closure of Warley Hospital has led to the loss of critical care facilities. That is, sadly, something which has happened since the change of government. We had a $2½ million package and it was funding which was to go to the Warley Hospital to keep it open. That money was not matched by the incoming government. That was not expected. It was one of those areas where I had genuinely believed an offer by our side would
have been matched by the other side. That sadly was not to be and my grievance with the min-
ister has been made elsewhere. The result of that however is real and continuing.

This week what we saw on the front of the Phillip Island paper was very clear. In the Phillip Island and San Remo Advertiser there were stories of residents who have come close to death, and it was revealed that medical staff on the island had witnessed an alarming scene, with nurses or critical care people literally having to fight, plead and beg Melbourne hospitals for a bed, given that there were no emergency facilities left on Phillip Island for a patient to receive the lifesaving medical attention they needed.

This is the 21st century. This follows on from what I said about the railway lines. Of course the path of human progress means that there are always many gaps that we need to fill and our needs grow. I recognise this. But there are areas where we have gone backwards. The loss of a hospital, after the new government walked away from a package which had been agreed with the hospital previously, puts residents in rural Australia in real and present danger.

This is not some political talk; this is the evidence of families who have faced risk and in many cases have had enormous hardship. I have met with families who since the loss of War-
ley Hospital have had to travel well and truly off the island, sometimes for an hour and a half, sometimes for two hours, in critical moments to find a bed. As a result, in a community with many elderly people, there is a great deal of uncertainty, a great deal of emotional hardship, and that personal security which was guaranteed by the presence of a hospital on the island has been lost.

This is a grievance debate, and I grieve the loss of this hospital. I grieve the fact that neither the federal nor the state government in December 2007 and January 2008 were willing to take responsi-
bility. We heard a lot about the blame game, but this was a classic example where
neither the new federal government nor the state government were willing to take responsibil-
ity, and a hospital died. A community lost its history and an important part of its human secu-
rity and future. The message is very simple: Phillip Island needs high-quality medical care. If
the government will not resurrect the hospital, it must do everything to dramatically improve
the quality of care and services to a level which, at the very least, equals that which was there
previously.

Concern for senior residents brings me to my third area, and that is in relation to another
part of my electorate, the southern peninsula. This area—Rye, Rosebud, Dromana, Tootga-
rook, all of these towns—is home to perhaps the greatest concentration of seniors within Vic-
toria. My electorate of Flinders is the demographically oldest electorate in Victoria. It has the
highest proportion of seniors over the age of 60, with a heavy concentration in the beautiful
area of the southern peninsula in particular. It is a natural retirees’ home.

We have seen an increase over the last six months in the demand for food vouchers, and fi-
nancial support has soared to unprecedented levels. This is a matter of deep human concern. I
do not blame the current government for that. It is part of the challenges of the times, but I do
say that we are responsible, on each of our watches, for that which we do to respond to new
challenges which arise in our time, on our turf.

The Vinnies Kitchen at Rosebud has served nearly 500 extra meals so far this year on top
of its usual service. The Salvation Army is helping 200 struggling residents a month, many of
whom are seniors, in particular pensioners who are struggling on what they have to make ends
meet. These are people who have served Australia, who have helped build Australia and who are suffering quite dramatically. The combination of low pensions, rising fuel prices—and fortunately we are seeing some amelioration on that front—increasing grocery costs and soaring housing costs has contributed to this problem.

Against that background of new events in new circumstances under a new watch, we need to take steps which will help our most senior residents. That is why I respectfully but categorically say to the new federal government that it is time to reconsider the opposition to the $30 a week rise in the base pension rate for single pensioners. Each new generation and each new government has new challenges and new responsibilities. These new challenges to pensioners must be met. These are people who deserve better. I pray that they are supported. (Time expired)

Blair Electorate: Dinmore Meatworks

Mr NEUMANN (Blair) (9.20 pm)—My grievance relates to the Dinmore meatworks in the electorate of Blair, which is one of the largest meat processing plants in Australia. Some 18,000 beasts are killed weekly across 11 shifts for the beef export market. The plant is run by Swift Australia Pty Ltd, which advertises itself as the industry leader. Swift Australia is a subsidiary company of JB Swift and Co., which is made up of 40,000 people with plants and offices on five continents. Its origins were in Brazil. It advertises itself as the global leader in the meat processing industry. It says on its website that it is Australia’s largest and most successful meatpacker and exporter and that it is proud of what it does to provide the world with the safest and the most reliable beef products on the market today.

There are about 2,300 employees at Dinmore, including approximately 340 Chinese and 110 Brazilians and their dependents on 457 visas. Since November 2007, there have been repeated stand-downs. The workers there have lost more than three weeks of work. The stand-downs started last year and also occurred in February, June and July 2008. In August 2008, the workers there were forced to take annual leave. The plight of these workers has been the subject of much consternation and media attention, including through my local daily newspaper, the Queensland Times, which says that that union condemns foreign labour. It has also reached the Courier Mail as well. The Courier Mail reported that they take local jobs, and so they do.

Instead of cutting back the kill, which the company could do so that the workers could work full time, the company has stood down the workers. Working two, three or four days a week means that workers struggle to make ends meet. They struggle to pay their mortgages, feed their families and clothe their children. The company says that it cannot get enough cattle, but instead of keeping its workforce intact by cutting back on the kill, according to the workers whom I have met, its policy has caused a reduction in the number of Australian workers at the plant. These workers feel compelled to leave Dinmore meatworks because they cannot get enough income to meet their household needs and so look for full-time work elsewhere.

The workers tell me that the company, because it must pay its foreign workers a minimum salary level under the labour agreement for 457 visas whether they work or not, prefers to employ foreign workers on the shifts. Therefore the Brazilians and Chinese work on these shifts when Australian workers could do the jobs. The company says that it needs the 457 visa

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holders because it cannot find Australian workers in sufficient numbers in the local area—
despite the fact that Ipswich is the fastest growing area in South-East Queensland.

The 457 visas are part of the Rudd government’s approach to meeting short-term shortages
in skilled labour in industry. The 457 visa is not designed to replace Australian jobs. It is there
to supplement, not displace. The labour agreement makes that very clear at paragraph 8.55; it
makes that very plain. This is not to happen. Any suggestion that companies are doing this is a
very great worry. It is simply wrong for the company to do this and it is unacceptable. It is
unacceptable to the people in my electorate; it is unacceptable to the workforce at Dinmroe.

Last Saturday, I met with Russell Carr, who is the general secretary of the AMIEU, the un-
ion organiser Ian McLaughlin, commonly known as Macca, and a group of workers to discuss
this issue. They are very aggrieved about what is going on. They have had some discussions
with management, but they have proved fruitless. The management says that they will get
back to them from time to time, but they have not been able to get commitments from man-
agement to correct this.

I had a meeting this morning with Chris Evans, the Minister for Immigration and Citizen-
ship, and made very strong representations on behalf of the workers. They are my constituents
and some of them also live in the federal electorate of Oxley. It is time to send the company a
message, and I am pleased the minister has done so. He assures me that officials from the de-
partment will meet tomorrow in South-East Queensland with representatives of the company.
I would urge the company to change its practice, to heed the representations of its workers
and to listen to the departmental officials tomorrow. The Commonwealth has wide-ranging
powers of sanction, including suspension of the processing of visa applications—which I
would describe as the nuclear option.

I am also happy to offer my electorate office at the Brassall Shopping Centre, which is a
very busy shopping centre in my electorate in Ipswich, as a place where departmental officials
can meet with workers who are too frightened to actually go public. If they wish to make
complaints and discuss the issue with departmental officials, I am happy for them to meet in
my office. I would invite the company to meet with me, though the parliamentary sitting has
prevented me from arranging that. I have known the manager, John Berry, for many years. He
is a good and decent man who is firm but fair. He is very community minded and it surprises
me that John has been part of this. I think the pressure would have to have come from above.
It is time to stop turning full-time Australian jobs into part-time jobs and outsourcing them to
foreign workers. I am pleased that the minister has issued a press release today, and I will deal
with that in a minute.

Paragraph 8.33 of the labour agreement makes it plain that the company must satisfy the
agreement in terms of its efforts to reduce its reliance on temporary overseas workers and it
must report on its efforts, its experience and the outcome to the department. The workers tell
me they see little evidence of a reduction in the use of 457 visas. Under paragraph 8.41 of the
labour agreement, the company must ensure the primary visa applicants are skilled meat-
workers. They tell me that the workers are variable in terms of their language skills and their
skills and talents in boning, slicing and other activities at the meatworks. This has an impact
on occupational health and safety of course. So we have variable skilled workers and some
Brazilians who have come over here, as I understand it, to learn about the meatworking indus-
try. My advice from the workers is that these Brazilians do not want to work for the company
back in Brazil because of its labour hire practices. They come to Australia, learn the skills and
the trade, take Australian jobs and then go back to Brazil.

The minister has issued a warning today and he has issued a press release today. The minis-
ter has said that the Rudd government will not tolerate employers continuing to access foreign
workers on temporary skilled migration 457 visas while denying local workers job opportuni-
ties. And he has issued a warning to the company. He makes it very plain that the subclass 457
visa scheme is a skilled migration program designed to assist employers who have skill short-
ages when local workers cannot be sourced.

Departmental officials tomorrow, I am instructed, will ensure the company gets the mes-
sage loud and clear that they are not to deny local workers employment opportunities in the
circumstances. It must abide by the conditions of the meat industry labour agreement. It is a
condition for access to meat industry labour agreements that Australian workers are not dis-
placed or replaced by overseas temporary workers. Labour agreement holders such as Swift
Australia must have a proper plan put in place to reduce their reliance on 457 visas. If they do
not, they breach the conditions of the labour hire agreement. I would like the minister, if they
are doing this, to throw the book at them.

The Rudd government is committed to a strong, temporary skilled migration program, but
we need to ensure that workers are not ripped off. We need to ensure integrity in the system.
We need to ensure that people living in the Ipswich area who work in the meat industry are
provided with full-time employment and training opportunities. We cannot have Australian
workers’ jobs turned into part-time jobs and have that exacerbated by the recruitment of mi-
grant workers. We need to train our skilled workers even better in boning, slicing and slaugh-
tering.

It was a great privilege for me to get my first job in life in the meat industry at Dinmore
meatworks. My father worked there, my uncle worked there and my three cousins worked
there. I appreciate the fact that AMH, who was then the employer of choice, employed me in
that regard, but I urge the company to do the right thing by the workers and their families and
the people of Ipswich. I really hope that we see an improvement in the labour practices and I
have faith that the minister will heed my representations.

Debate adjourned.

Main Committee adjourned at 9.31 pm
QUESTIONS IN WRITING

Boothby Electorate: Performing Arts Centre
(Question No. 172)

Dr Southcott asked the Minister for Infrastructure, Transport, Regional Development and Local Government, in writing, on 26 August 2008:

Has the Government allocated any funding in the 2008-09 Budget to Brighton Secondary School in Adelaide, South Australia for a performing arts centre; if so: (a) how much as been made available; (b) when will this funding be delivered; and (c) through what program has this funding been made available.

Mr Albanese—The answer to the honourable member’s question is as follows:
The Government has allocated $2 million for the Brighton Performing Arts Centre. The proponent has been contacted to discuss details of the project and its implementation.

Superannuation Review
(Question No. 321)

Mr Baldwin asked the Minister for Defence Science and Personnel, in writing, on 4 September 2008:

In respect of the department’s report entitled Review into Military Superannuation Arrangements, dated 24 December 2007: when will he provide a response to its recommendations and to the subsequent public submissions on these recommendations.

Mr Snowdon—The answer to the honourable member’s question is as follows:
The Review into Military Superannuation Arrangements and the subsequent submissions from public consultation are under active consideration by the Government. The proposed reforms are complex and carry with them possible major budgetary implications. The Government will have full regard to those considerations before providing its response, the timing of which has yet to be decided.