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SITTING DAYS—2009

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FORTY-SECOND PARLIAMENT
FIRST SESSION—SIXTH 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. Christopher Maurice Pyne 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 Whips—Mr Michael Andrew Johnson MP and 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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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
Minister for Defence and Vice President of the Executive Council
Minister for Trade
Minister for Foreign Affairs and Deputy Leader of the House
Minister for Health and Ageing
Minister for Families, Housing, Community Services and Indigenous Affairs
Minister for Finance and Deregulation
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
Cabinet Secretary, Special Minister of State and Manager of Government Business in the Senate
Minister for Agriculture, Fisheries and Forestry
Minister for Resources and Energy and Minister for Tourism
Minister for Financial Services, Superannuation and Corporate Law and Minister for Human Services

Hon. Kevin Rudd, MP
Hon. Julia Gillard, MP
Hon. Wayne Swan MP
Senator Hon. Chris Evans
Senator Hon. John Faulkner
Hon. Simon Crean MP
Hon. Stephen Smith MP
Hon. Nicola Roxon MP
Hon. Jenny Macklin MP
Hon. Lindsay Tanner 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
Hon. Chris Bowen, MP

[The above ministers constitute the cabinet]
Minister for Veterans’ Affairs Hon. Alan Griffin MP
Minister for Housing and Minister for the Status of Women Hon. Tanya Plibersek MP
Minister for Home Affairs Hon. Brendan O’Connor MP
Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery Hon. Warren Snowdon MP
Minister for Small Business, Independent Contractors and the Service Economy, Minister Assisting the Finance Minister on Deregulation and Minister for Competition Policy and Consumer Affairs Hon. Dr Craig Emerson MP
Assistant Treasurer Senator Hon. Nick Sherry
Minister for Ageing Hon. Justine Elliot MP
Minister for Early Childhood Education, Childcare and Youth and Minister for Sport Hon. Kate Ellis MP
Minister for Defence Personnel, Materiel and Science and Minister Assisting the Minister for Climate Change Hon. Greg Combet AM, MP
Minister for Employment Participation and Minister Assisting the Prime Minister on Government Service Delivery Senator Hon. Mark Arbib
Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government Hon. Maxine McKew MP
Parliamentary Secretary for Defence Support and Parliamentary Secretary for Water Hon. Dr Mike Kelly AM, MP
Parliamentary Secretary for Western and Northern Australia Hon. Gary Gray AO, MP
Parliamentary Secretary for Disabilities and Children’s Services and Parliamentary Secretary for Victorian Bushfire Reconstruction Hon. Bill Shorten MP
Parliamentary Secretary for International Development Assistance Hon. Bob McMullan MP
Parliamentary Secretary for Pacific Island Affairs Hon. Duncan Kerr SC, MP
Parliamentary Secretary to the Prime Minister and Parliamentary Secretary for Trade 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 for Multicultural Affairs and Settlement Services Hon. Laurie Ferguson MP
Parliamentary Secretary for Employment Hon. Jason Clare MP
Parliamentary Secretary for Health Hon. Mark Butler MP
Parliamentary Secretary for Industry and Innovation Hon. Richard Marles MP
SHADOW MINISTRY

Leader of the Opposition
The Hon. Malcolm Turnbull MP

Shadow Minister for Foreign Affairs and Deputy Leader of the Opposition
The Hon. Julie Bishop MP

Shadow Minister for Trade, Transport, Regional Development and Local Government and Leader of The Nationals
The Hon. Warren Truss MP

Shadow Minister for Broadband, Communications and the Digital Economy and Leader of the Opposition in the Senate
Senator the Hon. Nick Minchin

Shadow Minister for Innovation, Industry, Science and Research and Deputy Leader of the Opposition in the Senate
Senator the Hon. Eric Abetz

Shadow Treasurer
The Hon. Joe Hockey MP

Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House
The Hon. Christopher Pyne MP

Shadow Minister for Infrastructure and COAG and Shadow Minister Assisting the Leader on Emissions Trading Design
The Hon. Andrew Robb AO, MP

Shadow Minister for Finance, Competition Policy and Deregulation
Senator the Hon. Helen Coonan

Shadow Minister for Human Services and Deputy Leader of The Nationals
Senator the Hon. Nigel Scullion

Shadow Minister for Energy and Resources
The Hon. Ian Macfarlane MP

Shadow Minister for Families, Housing, Community Services and Indigenous Affairs
The Hon. Tony Abbott MP

Shadow Special Minister of State and Shadow Cabinet Secretary
Senator the Hon. Michael Ronaldson

Shadow Minister for Climate Change, Environment and Water
The Hon. Greg Hunt MP

Shadow Minister for Health and Ageing
The Hon. Peter Dutton MP

Shadow Minister for Defence
Senator the Hon. David Johnston

Shadow Attorney-General
Senator the Hon. George Brandis SC

Shadow Minister for Agriculture, Fisheries and Forestry
The Hon. John Cobb MP

Shadow Minister for Employment and Workplace Relations
Mr Michael Keenan MP

Shadow Minister for Immigration and Citizenship
The Hon. Dr Sharman Stone

Shadow Minister for Small Business, Independent Contractors, Tourism and the Arts
Mr Steven Ciobo

[The above constitute the shadow cabinet]
SHADOW MINISTRY—continued

Shadow Minister for Financial Services, Superannuation and Corporate Law
The Hon. Chris Pearce MP

Shadow Assistant Treasurer
The Hon. Tony Smith MP

Shadow Minister for Sustainable Development and Cities
The 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

Shadow Minister for Ageing
Mrs Margaret May MP

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

Shadow Minister for Veterans’ Affairs
Mrs Louise Markus MP

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

Shadow Minister for Justice and Customs
The Hon. Sussan Ley MP

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

Shadow Parliamentary Secretary for Northern Australia
Senator the Hon. Ian Macdonald

Shadow Parliamentary Secretary for Roads and Transport
Mr Don Randall MP

Shadow Parliamentary Secretary for Regional Development
Mr John Forrest MP

Shadow Parliamentary Secretary for International Development Assistance and Shadow Parliamentary Secretary for Indigenous Affairs
Senator Marise Payne

Shadow Parliamentary Secretary for Energy and Resources
Mr Barry Haase MP

Shadow Parliamentary Secretary for Disabilities, Carers and the Voluntary Sector
Senator Mitch Fifield

Shadow Parliamentary Secretary for Water Resources and Conservation
Mr Mark Coulton MP

Shadow Parliamentary Secretary for Health Administration
Senator Mathias Cormann

Shadow Parliamentary Secretary for Defence
The Hon. Peter Lindsay MP

Shadow Parliamentary Secretary for Education
Senator the Hon. Brett Mason

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

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

Shadow Parliamentary Secretary for Immigration and Citizenship and Shadow Parliamentary Secretary Assisting the Leader in the Senate
Senator Concetta Fierravanti-Wells
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The SPEAKER (Mr Harry Jenkins) took the chair at 12 pm and read prayers.

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 21 October 2009, I present copies of the terms of motions for which notice has been given by the members for Gippsland, Makin, Gilmore and Mayo. These matters will be considered in the Main Committee later today.

AUSTRALIAN NATIONAL PREVENTIVE HEALTH AGENCY BILL 2009

Report from Main Committee

Bill returned from Main Committee without amendment, appropriation message having been reported; certified copy of the bill presented.

Ordered that this bill be considered immediately.

Bill agreed to.

Third Reading

Mr BUTLER (Port Adelaide—Parliamentary Secretary for Health) (12.02 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

TELECOMMUNICATIONS (INTERCEPTION AND ACCESS) AMENDMENT BILL 2009

Second Reading

Debate resumed from 16 September, on motion by Mr McClelland:

That this bill be now read a second time.

Ms LEY (Farrer) (12.03 pm)—I am pleased to speak on the Telecommunications (Interception and Access) Amendment Bill 2009. This bill will amend the Telecommunications (Interception and Access) Act 1979, the T(IA) Act, to implement a full legislative solution that clarifies the basis on which communications can be accessed for the purposes of protecting a computer network. In order to give this bill and its proposed amendments some context, I would like to quote from the discussion paper and exposure draft legislation produced by the Attorney-General’s Department in July of this year. I would also like to reflect on some remarks within the EM to the bill.

Increasingly, the use of online services by individuals, governments, business and the not-for-profit sector means that sensitive information is regularly transmitted and stored electronically. I think it is fair to say that there has been an absolutely exponential boom in the online storage of progressively more and more sensitive information. Accessing or disrupting the carriage of this information can provide significant financial and other benefits for criminal elements. Protecting information and computer infrastructure from malicious attack is a key concern for governments and for the growing number of computer network owners, whose networks hold and transmit such information.

In 2008 the Australian Bureau of Statistics reported that, between June 2006 and June 2007, 86 per cent of all businesses reported that they used the internet, one-third of all businesses reported that they had a web presence, 40 per cent of all businesses reported they had placed orders via the internet and just over one-fifth of all businesses reported they had received orders via the internet. Businesses estimated that approximately $68 billion was generated by these orders, or 3.5 per cent of total income from the sales of goods and services. The ABS has reported
that as at December 2008 there were almost eight million subscribers to the internet in Australia. Of these, 1.3 million were businesses and government subscribers and 6.7 million were household subscribers.

As sectors of the community become more and more reliant on internet technology to relay and store sensitive information, the potential grows for people, including organised crime and terrorist groups, to harm individuals and organisations through malicious access to such information. Accordingly, protecting sensitive information from these attacks is something that we in this parliament should be holding front and centre of our concerns. I am pleased to say that the coalition support the Telecommunications (Interception and Access) Amendment Bill although, as we did with the previous bill of this type, we foreshadow amendments pending the recommendations of the committee to which this bill has been referred.

The A-G’s Department developed a proposal to amend the T(IA) Act to allow all owners and operators of computer networks in Australia to undertake activities to protect their networks. A draft proposal was set out and submissions were received, and I thought that the public comment was very valuable indeed.

The actual substance of the bill, as I said, seeks to amend the T(IA) Act to enable the owners and operators of computer networks to undertake activities to operate, maintain and protect their networks; to enable Commonwealth agencies, security authorities and eligible state authorities to ensure that their networks are appropriately used by employees, office holders or contractors of the agency or authority; and to limit secondary use and disclosure of information obtained through network protection activities and require the destruction of records obtained by undertaking network protection activities when the information is no longer required for this purpose.

As noted in the bill’s explanatory memorandum, the increase in online services by individuals, governments and businesses is what has generated the need for these amendments, as well as the increasingly apparent use of criminal syndicates who exploit weaknesses in the carriage of information across the world. We should note that not all network protection activities are currently lawful under the Telecommunications (Interception and Access) Act. Whether an activity is lawful depends on the particular characteristics of the activity that is undertaken, where and by whom it is undertaken and whether or not there is an awareness by the affected person that the activity is being done. An example of this would be someone who is undertaking network protection activities. They may need to copy a communication before it is delivered to the intended recipient but, under the T(IA) Act as it now stands, copying is only allowed at certain points in the delivery of that communication and under certain conditions. This means that network owners and operators are vulnerable to inadvertently breaking the law prohibiting interception. The T(IA) Act currently includes special exemptions that enable interception and security agencies, as well as certain government departments, to access communications on their own computer network for network protection activities. However, these provisions are not permanent; rather, they were intended to operate on an interim basis while a comprehensive solution covering both the public and private sectors was developed. So these provisions cease to have effect after 12 December 2009.

The current bill before the House will also improve the effectiveness of the Australian telecommunications access regime by extending the evidentiary certificate regime to lawful access to telecommunications data.
authorised under chapter 4 of the Telecommunications (Interception and Access) Act and allowing the managing director or the secretary of a carrier to delegate their evidentiary certificate functions; by clarifying that lawfully intercepted information can be used, communicated and used in proceedings by the Australian Federal Police in applications for interim and final control orders and initial and final preventative detention orders under divisions 104 and 105 of the Criminal Code Act 1995; and by making consequential amendments to reflect amendments to the Police Integrity Commission Act 1996 of New South Wales in relation to the investigation of the corrupt conduct of an administrative officer of the New South Wales Police Force or the misconduct of an officer of the New South Wales Crime Commission.

As mentioned in the explanatory memorandum, the bill ensures that all legitimate activities in relation to protecting computer networks—whether it is the infrastructure or the information stored or transmitted by them—which are undertaken by network administrators in either the government or non-government sectors do not inadvertently constitute an offence under the T(IA) Act. However, the new provisions do not make such activities compulsory. Utilising the provisions in relation to network protection remains at the discretion of the owner or operator of the network.

As with all measures that seek to protect us, and in this case protect us from a vast range of information being exposed to criminal networks, the issue comes down to a person’s right to know, a person’s ability to use information that they acquire in the course of protecting a network and the privacy of the individual concerned. I note that the Office of the Privacy Commissioner, in making a submission to the Senate Standing Committee on Legal and Constitutional Affairs, has a number of suggestions aimed at enhancing aspects of the bill. I note those because I think they well illustrate the tension in a debate of this nature. Those recommendations are that the bill could provide additional guidance on the operation of the provisions to assist organisations to train authorised persons in respect of what action is lawfully permitted to be undertaken under the scheme. Any exceptions permitting secondary uses or disclosures should be well defined. So these exceptions should align with community expectations and be based on clearly articulated public policy reasons—that is, if you proceed to use, for secondary purposes, information that is acquired in the course of protecting a network. In clause 15, regarding misuse of the computer network, the bill should clarify that disciplinary action applies to activities that pose a risk to network security only. Consideration could be given to including in the bill a provision to allow individuals access to intercepted communications that relate to them, to be modelled on national privacy principles in the Privacy Act. The Office of the Privacy Commissioner also suggests that all intercepted records of a communication, whether the original or a copy obtained for the purpose of network security, should be destroyed when no longer needed for that purpose. That strengthens the requirement to destroy information.

As I noted, the bill was referred to the Senate Standing Committee on Legal and Constitutional Affairs on 17 September and it is due to report by 16 November. While the coalition supports the bill, we foreshadow the possibility of amendments in the Senate pending the committee’s recommendations.

Mr HAYES (Werriwa) (12.13 pm)—I rise to also lend my support to the Telecommunications (Interception and Access) Amendment Bill 2009, a bill that will principally amend the Telecommunications (Interception and Access) Act 1979, the T(IA) Act, to en-
sure that the actions of network administrators to operate, protect and maintain computer networks will not breach the Telecommunications (Interception and Access) Act. These amendments are technical. They have been brought about to ensure that the overall objectives of the Telecommunications Act 1997 are being met and not frustrated by the speed of technology and the speed with which systems operators need to move to protect the information that is gained in and about their networks. These amendments are necessary to legitimise the activities aimed at securing the integrity of networks and the information that is contained in those networks.

It is no surprise to anyone in the House that we are continuing to increase our use of internet network transmissions not only in the normal day-to-day lives of individuals but also by businesses and the community generally. In fact, Australians are more active online users than the people of most other nations. Over the past few years we have seen a move away from the more traditional methods of communications—I must say that these are the ones that personally I have been a bit more comfortable with—to those which are now more familiar to an up-and-coming generation and certainly to the business community, who know of the need for instantaneous communication if they are to be in a position to win contracts and have a forthright position in leading within the business field in this country. We are now communicating more over the internet and having information exchanged instantaneously through digital processes for just about every business opportunity that exists in this country. It is for this reason that most businesses now have an online presence to enable them to communicate and, essentially, expand their trade not only as to what they do here but also as to the way in which they are actually able to apply their trade in terms of worldwide activity. We know the technology is providing us with unprecedented access to trade around the world and therefore it is vital not only for trade but also for our local community. That is one of the reasons why this government has committed $42 billion to building the National Broadband Network, a project of Snowy Mountains scheme proportions for the 21st century. This will give our businesses the boost they need to be competitive on the world stage.

However, with the increased use of online communication comes a high incidence of a new emerging crime, cybercrime. I have spoken in this place many times about criminal activity not being one matter that is actually born and bred in any particular crime base. Criminals will move to actually exploit loopholes with a view to getting returns on their investment in crime. At the moment cybercrime is one of those things that is attracting serious money for various groups of individuals in terms of setting up criminal enterprises to benefit the less than law-abiding citizens of our country. According to a global survey of nine countries in 2008 conducted by a software security vendor, AVG Australia, Australia has the highest incidence of cybercrime in the world. The study—which canvassed 1,000 users in each of the countries of Australia, the US, France, Germany, Italy, Spain, Sweden, Brazil and the Czech Republic—found that more than 39 per cent of Australians have been the victim of some form or other of cybercrime. That is compared to 32 per cent in Italy, 28 per cent in America and just 14 per cent in Sweden and Spain. It is certainly of no surprise to me just how sensitive is some of the information that is being sought out there at this stage when you think about what is being accumulated online, particularly when it relates to such things as medical records, banking details, phone numbers et cetera. All are certainly not in the public domain, but
through criminal enterprise cybercriminals are actually trying to attract that information as their form of business. What they then do with that is exchange it on the black market, therefore identify theft has become such a big issue not only in this country but around the globe. In Australia alone the proceeds of identity fraud are estimated to be something around $6 billion a year. I have seen identity fraud figures being touted that suggest it is something in the vicinity of $100 billion worldwide. So it goes without saying that we must do whatever we can to defend Australia’s computer networks.

We have an obligation to protect Australians and certainly Australian businesses from malicious access to their personal information or their business information. We actually do that by building confidence in this new emerging digital economy. As it stands, network operators can undertake protective activities to protect their networks. However, as attacks are becoming so frequent and more refined, many operators’ actions in defending their networks may be regarded, without their intending to be, as breaches of the Telecommunications (Interception and Access) Act 1979. This bill will amend the act to ensure that network operators can undertake legitimate activities aimed at securing their networks and, importantly, the information that is contained on those networks. We know that currently an exemption exists under the act for network protection activities undertaken by designated security and law enforcement agencies. In fact, early last year the parliament agreed to extend the operation of these provisions until 12 December this year. This was related to timing to give more opportunity to build broader solutions relevant to all networks, both government and non-government, as they were being developed.

It should be noted that the protection regime proposed in this bill has been amended following the result of an active consultation round that occurred with various law enforcement agencies, including the Australian Federal Police; the business community; and other stakeholders. It is also important, I believe, to note that these amendments strike a balance between protecting computer networks from malicious activities whilst also protecting the users of these networks from unnecessary or unjustifiable invasion as to their personal information. Under this revised approach, this bill will have a couple of major impacts. Under it all networks will be able to intercept communications at the network boundary in order to protect the network. Intercepted material may be communicated for the purpose of performing network protection duties and investigating criminal offences. Only network operators within interception agencies, intelligence agencies and Commonwealth departments responsible for security collection of foreign intelligence, defence or the conduct of the Commonwealth’s international affairs will be able to monitor reasonable use of certain information in certain circumstances. This will mean that employees in private or non-government organisations—and most other government agencies for that matter—cannot be the subject of disciplinary action under the network protection provisions, given that they use the network appropriately, properly and in accordance with the agreed use.

This bill also includes several important amendments that will improve the effective operation of the act, including amending the definition of ‘permitted purpose’ in relation to the New South Wales Police Integrity Commission to reflect an expansion in the role of the commissioner. Further, the bill will also clarify that information that has been intercepted by the Australian Federal Police in the course of investigations into serious offences, including terrorism offences, can be used by the AFP for purposes
associated with the making of control orders and preventative detention orders under the Criminal Code. These technical amendments, along with a couple of others that I have not had the opportunity to mention, will ensure that the act continues to be clear and relevant in the obligations and the powers it imposes on carriers and on law enforcement agencies. This bill marks an important step in the government’s commitment to building confidence in the online world. I commend the bill to the House.

Mr SIMPKINS (Cowan) (12.23 pm)—As a former member of the Australian Federal Police I have some background in the area of interception of telecommunications, not from a technical perspective but from a hands-on involvement in monitoring communications and listening devices. It is in that area that I had some experience. In 1987 I undertook some work in the eastern suburbs of Sydney listening in on a suspected drug trafficker as a precursor to searches that would later take place. While the language used in most of the recordings was Cantonese, so an interpreter was required, we nevertheless had the responsibility of listening in for any English language information that could be obtained and, via a hidden camera, we were also observing the premises for suspicious activities. Spending a number of eight-hour shifts continually listening and watching gave me a great appreciation of some of the less interesting but nevertheless necessary jobs that had to be done by the Australian Federal Police.

I would also say that, having had discussions with a number of my constituents about these and related matters, I know that the vast majority of Australians adopt the supportive line that these sorts of laws, properly authorised in warrants, are necessary to protect the law-abiding citizens of this nation. The typical Australian would say, ‘If you’re not doing anything wrong you shouldn’t object.’ That is pretty much the standard attitude towards telecommunications intercepts and a range of police capabilities that are described by typical Australians as good and by a noisy but peripheral minority as an infringement of human rights. So I am confident in saying that the majority of Australians appreciate the safety provided by law enforcement agencies with effective capabilities as outlined in these sorts of laws.

In recent times we have had our law enforcement agencies intercept information that has resulted in arrests and trials of terrorism suspects. It seems there are some in this country that seem so keen on protecting the rights of terrorists that they are willing to weaken our defences and risk the lives of innocent people in this country. Without the ability to intercept communications, collect intelligence and ultimately evidence, this country would be seriously weakened. There are two problems with those who oppose these sorts of capabilities. They labour under the serious misconception that those who seek to wreak havoc, destruction and death across this country can be reasoned with, and that is one problem. The second problem is somewhat ironic, that they have the freedom to protest these laws under the protection and freedoms that are provided by these laws and others related to them.

Moving away from those that oppose these laws, I think it is also very sad that there are some people in this country that have taken up citizenship and seek to change this country in a fundamental way. By that I mean that those who have recently been convicted in the Sydney terrorist trial are from families that have come to this country and used the superior freedoms and liberties of this country while finding fault with this country and seeking to change it with their extremism and fundamentalism. I think it is all very well that we have the ability to grant citizenship, but what we should have is the
ability to withdraw that citizenship from those who seek to betray this nation with acts of murder and terror. These are the reasons why the need exists to have strong laws to support the technologies available for interception and accessing telecommunications.

Turning to the specifics of the Telecommunications (Interception and Access) Amendment Bill 2009, it is the nature of this modern age that important information is vulnerable when it is held electronically. With the benefits of easy access to electronic information in departments and agencies and the systems of other organisations also comes the vulnerability that it could be illegally accessed. Damage to that information, the altering of that information or the stealing of that information may realise a benefit for those responsible and will result in a cost in physical terms and in terms of the standing of the organisation. These are the threats we are faced with.

On 12 December this year the interim measures that had been put in place for network protection activities will cease. This bill is now required to provide a permanent and comprehensive basis upon which public and private sector organisations can access communications on their own networks and protect their computer networks. The amendments provided for in this bill include: to allow computer network owners and operators to operate, maintain and protect them; to enable agencies to take steps to ensure their networks are being used appropriately; and to limit the secondary use and disclosure of information through network protection activities, including reporting illegal behaviour and taking disciplinary action. This will result in organisations in the public and private sectors being able to check the actions of employees when they access the organisations’ networks. The emphasis will be on appropriate use of those networks, or in other words that access to any files had a legitimate reason surrounding it.

These amendments have created concern in some areas; however, the warning is there now for all those who may wish to go beyond appropriate use of public and private sector networks. While these amendments appear reasonable, I understand that a Senate committee is still looking at this bill, and issues with the bill will no doubt be taken up in the Senate when the committee reports by 16 November this year. With that consideration, amendments may result in the Senate.

I reiterate that we should always look towards strengthening laws that make this nation safer and that reduce the threats that would undermine our institutions. While the issue of inappropriate use of networks may not seem on the surface to be dramatic in its effect, the integrity of information held by government agencies is vital and may in certain circumstances have national applications, and even information held by other organisations could threaten the future of those organisations, with implications for employment and downstream negative economic outcomes. I support the intent of this bill and, barring possible amendments in the Senate, look forward to its passing.

Mr McCLELLAND (Barton—Attorney-General) (12.29 pm)—in reply—I thank members of the House for their contributions to the debate. The contributions of the members who spoke today—the members for Farrer, Cowan and Werriwa—were considered and helpful. The Telecommunications (Interception and Access) Amendment Bill 2009 recognises the important role technology plays in the way we store and exchange information. Passage of the bill will help secure sensitive information from criminal access, protecting Australians from criminal activity and ensuring the integrity of vital infrastructure. For the first time, all Austra-
lians will be able to undertake certain activities designed to protect their computer network, without breaching the act.

This is an important step forward which matches the growth in sophisticated attacks with the capacity to defend a network at the earliest possible point. However, network protection activities will only be lawful if they are conducted in accordance with the provisions that are set out in this bill. Network protection activities cannot be undertaken without reason, nor can the information obtained through these activities be used for any other purpose. Rather, the proposed network protection regime maintains the integrity of the interception regime by balancing the need to protect networks from malicious attack with clear limitations on the circumstances in which access, use and disclosure of information will be permitted.

The bill also includes several amendments that will improve the effective operation of the act, ensuring it continues to be clear and relevant. Similarly, the new network protection regime responds to a new and very real threat. By ensuring that network owners can undertake legitimate activities aimed at securing their network and the information it contains, this bill will build Australia’s confidence in and use of the online world.

Question agreed to.

Bill read a second time.

Third Reading

Mr McCLELLAND (Barton—Attorney-General) (12.32 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (INCOME SUPPORT FOR STUDENTS) BILL 2009

Second Reading

Debate resumed from 20 October, on motion by Ms Gillard:

That this bill be now read a second time.

Mr SIDEBOTTOM (Braddon) (12.32 pm)—I am very glad to be able to continue my contribution on the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009. When I was last speaking on this I was talking about the second scholarship which is being introduced under the scheme, the relocation scholarship. This scholarship will contribute $1,000 per year and $4,000 for students’ initial relocation. These scholarships will be available to all north-west, west coast and King Island students from my electorate of Braddon who must travel to the Launceston, Burnie or Hobart campuses of the University of Tasmania or, indeed, to the mainland and will make the world of difference in paying for things like bonds for rental houses or to contribute to fees to live on campus. This means all students from my electorate, spanning Latrobe to Smithton, King Island and the west coast, will qualify for a relocation scholarship so long as they are receiving youth allowance or Austudy. It is also important to note that the value of both the relocation scholarship and the start-up scholarship will be indexed from 2011.

Whilst I welcome with open arms the majority of changes to the Youth Allowance system, there was one facet which concerned me considerably. I certainly support the tightening of provisions for students to claim independence to ensure we target financial help to those who need it the most. But I made no secret of my concern for how this was going to affect those students who are
currently undertaking a gap year with the view to beginning university in early January 2010. A number of concerned so-called ‘gap year’ students and their families contacted me to voice what they saw as a policy that would leave them in relative limbo—effectively retrospectively penalising them for choices they made a year ago to forgo pursuing tertiary studies for a gap year or two.

I took these concerns to my colleague and friend the Minister for Education, Julia Gillard, on a number of occasions, asking her to reconsider the time frames to introducing this particular amendment. She took these concerns on board and, in time, set up a roundtable discussion for a number of representative regional MPs and students to come to parliament and speak directly to her about their concerns. I must thank the minister for her willingness to listen to the needs of regional students, a courtesy never granted by the former government.

Eighteen-year-old gap year student Alan Nicholas, from Wynyard, was my special guest at the roundtable, which was held at Parliament House in August. Like me, Alan was supportive of the new policy overall but was worried about how the time frames for the introduction of changes would affect him and other gap year students. Alan, along with other regional student representatives, explained these concerns directly to Minister Gillard on behalf of his fellow gap year students—and I would add that he did this with substantive argument and persuasion. Alan was articulate and very clear about his views on these time frames, and I thank him for taking the time to make an appointment with me on this matter very early in the piece and for taking time off work to travel and represent his region.

I must also again thank Minister Gillard because, unlike the former government, which preferred to ignore arguments put by me and others in this place for over a decade, Minister Gillard listened. She revised these time frames to allow students who left school in 2008, are in the middle of a gap year now and are planning to leave home for university in 2010 to continue their plans to do so under the existing system. I acknowledge, however, that this revision does affect the government’s bottom line and, to compensate for this, the changes planned for the amount a student can earn before it affects their youth allowance will be deferred by 18 months. I think this is a fair trade-off. What this means—and this is another positive aspect of the reform program contained within this legislation—is that from 1 July 2012 eligible students will be able to earn $400 a week without having their payments reduced. That is a very important point, often forgotten in the hullabaloo surrounding criticism of this amendment. This significant exemption is an increase from the current $236 and will give participants the chance to access more opportunities to increase their income by up to an additional $164 per week without penalty on their allowance payment.

I know that the eligibility criteria for independence are more stringent than in the past and will require future claimants to genuinely prove this independence over a longer time period. I know that some people regard this tightened work eligibility criterion to be particularly hard for the regional students to fulfil in comparison to their urban cousins. I must say that I have pointed out what I regard to be the geographic discrimination or distinction that exists currently between urban students and those who live in regional Australia and must move for their studies. I will be particularly vigilant in monitoring this aspect of the reform and will not hesitate to inform my minister and my colleagues if this becomes too comparatively onerous for potential students in my region.
The package of reforms outlined in this legislation are premised and targeted to make many more students eligible to receive support to further their studies. The package should be seen in its entirety. These changes will see youth allowance targeted at those families that need assistance most. With a median income of $45,000, my region is exactly where it is targeted. Under the existing system, 18 per cent of students receiving youth allowance are from families with incomes of more than $150,000, 10 per cent above $200,000 and three per cent above $300,000. That is not right; that is not equitable. That has to change and it will.

Contrary to claims from those opposite, the current broken coalition system has seen regional and rural participation in tertiary education actually decline from 2002 to 2007. The extremely low parental income test has effectively forced students into claiming independence from their family and taking a compulsory gap year, after which we know that 30 per cent do not subsequently take up their university offer. Under the alternative coalition plan, almost $700 million over four years will be torn from the pockets of students as start-up scholarships are reduced permanently by $1,254 a year. This equates to more than 150,000 students losing the equivalent of $24 a week each and every week they are at university.

These changes are fair and equitable. I will monitor their effects on my regional students in terms of the income eligibility rule but I welcome news that these scholarships in particular and the allowance will be available to many more people who deserve our financial support. (Time expired)

Ms MARINO (Forrest) (12.40 pm)—I rise to speak on the effect many aspects of the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 will have on the higher education opportunities for young people in my electorate of Forrest. My constituents are very concerned that these changes will directly increase rural disadvantage by discriminating against rural and regional young people’s access to higher education.

The coalition believes that students from regional and rural areas have a right to a higher education in the very same way that students who live in urban areas have a right to a higher education. The Labor government is totally ignoring the most simple, basic and obvious fact known by parents of every student in country areas, which is that every single rural and regional student who has to relocate to study pays significantly more for their education than a student who does not have to relocate. It is really a simple equation.

Youth allowance has been a vital payment that many regional and rural students have qualified for to assist with the additional financial costs associated with relocation and higher education. More importantly, for many students, it is often the only way that young people have been able to afford to attend a university at all and the only way their families can afford to send them to university.

The abolition of the workforce participation route for youth allowance eligibility as an independent will make it harder or simply impossible for thousands of young people from regional and rural families to attend university. A majority of students in my electorate who want to or need to attend university to pursue their careers are forced to relocate to the metropolitan area for further study. This is not a feel-good exercise by the young people or their families. They do not have a choice. If they want to study their chosen or required course, in many instances they have no option but to relocate to the city.
These students are not necessarily able to rely on financial support from their parents, particularly if their parents’ assets exceed the parental means test such as in farming or small business families. Students from these families are often ineligible as dependants because of the assets; however, the family simply does not have the income to support the student or their siblings. The relocation costs for regional and rural students are significant and cannot be compared to the costs for students who are able to live at home.

I have received countless emails and phone calls from people in my electorate regarding this legislation. One of these concerned parents, Monica, wrote:

Country kids and families already deal with a massive disadvantage and tertiary education should not be something we have to fight for. It is our right to be educated and the responsibility of the government to provide it. Plain and simple.

Jill, from the regional town of Dunsborough in my electorate, notes:

We are understanding that there may be some changes needed to the allowance and that there may be some students who are living at home and getting a substantial allowance, but we just don’t understand how students living at home and going to uni can possibly be compared and be lumped in the same basket as country kids who need to relocate and living independently in the true content!! There is NO comparison.

I was also contacted by a young student from my electorate, who said:

It has become necessary for students wishing to pursue further education and training at a tertiary level to move to Perth. The strains of moving to Perth from towns in regional areas are not only emotional for the students who are largely away from their closest family and friends for the first time, but mental and financial as well. The costs of accommodation, university fees, transport and study materials is exorbitant and overwhelming to rural students on a tight budget.

Another example is a mother from the small town of Northcliffe who has a daughter who will begin a six-year law-psychology degree in 2010. The mother wrote:

I think it is very difficult for country kids from small close communities in Perth to survive the pressures of uni life and living in the big city, without family support on a daily basis.

If there was no financial support then it would be impossible for them and their parents! Instead of reducing the help, I think they need to look at what more they can do to support country kids moving to the city and help them succeed.

Students from farming and small business backgrounds in regional and rural areas are often ineligible, as I said earlier, to receive youth allowance as dependents because the value of the average Australian family farm could be significantly higher than the level of assets allowed under the test, even though the family income may be quite low. I know that Ben understands this. The average Australian farming family cannot afford the tens of thousands of dollars needed to support their child’s relocation costs, accommodation and living expenses while studying at university. A metropolitan family is also likely to earn far more than a family in a regional area, particularly a farming family.

This legislation also proposes to introduce a tightening of the independence criteria so that a young person must work a minimum of 30 hours per week for 18 months out of two years. This is an indication of just how out of touch this Labor government is. Where on earth will young people in my electorate, from towns such as Northcliffe, Nannup, Harvey, Brunswick, Manjimup, Donnybrook or Dunsborough, find 30 hours of work a week, every single week, as required by this legislation? Young people will have to do 30 hours of work every single week, not one hour less, to qualify for youth allowance. The government is seriously out of touch with regional Australia on this.

I would like to refer to the Victorian Labor government’s Education and Training Com-
committee report into the geographical differences in the rate at which Victorian students participate in higher education:

From 2010 only those young people who have worked for a minimum of 30 hours per week for 18 months will be eligible for Youth Allowance under the criteria for independence.

The Committee firmly believes that this change will have a disastrous effect on young people in rural and regional areas.

In my electorate of Forrest, industries such as tourism and agriculture employ young people, often during seasonal or peak periods—during the hay season or in harvesting—in hospitality or picking fruit. A gap-year student could do 30, 40 or even 50 hours of work a week in these periods compared to the off season where weekly work hours could be cut to 15 or 20 hours or, sometimes, no hours at all. Over an 18-month period, this could average out to 30 hours per week, which is what the current system allows for, but under the proposed legislation working 30 hours minimum a week for an 18-month period is almost impossible for regional and rural students. This is very clearly a deliberate attack on regional Australia. A concerned parent from Dunsborough recently wrote to me and said:

The employment opportunities for someone like my son who lives in Dunsborough may be ok in the Summer months but come off season, there is no way he will manage 30 hours per week.

Minister Gillard has stated:

Many students took a gap year to meet this criterion—and we know for a fact that around 30 per cent of students did not return to study.

Does the minister expect that a student who has to take the full two-year gap period that she is proposing to qualify for independent status will actually return to study? Common sense will tell you the percentage of students who do not return to study will be higher for those who have to defer for two years.

A sole income earner with eight children from my electorate has provided financial details to outline the discrimination in this bill from her point of view. She currently has two children studying medicine and another six wanting to gain higher education in the future. Using the Australian Scholarships Group university costs calculator, it is estimated that one student completing a medical degree commencing in 2010 will cost $153,398 over six years—an average of $25,000 per year. This figure includes costs such as textbooks, equipment and supplies, computer and internet, establishment costs, accommodation, groceries and food, utilities, public transport, entertainment and ancillary.

You would understand that the total cost for this parent is prohibitive. This particular parent is ineligible for any government assistance and, under this bill, she will be forced to find an alternative way to finance her children’s dreams of becoming doctors. I ask the minister and the Labor government: do you expect a student who wants to study medicine to take two years off to become eligible for independent youth allowance and then complete a six-year medical degree? With the current shortage of general practitioners in my electorate, attracting and retaining doctors is just so important, as it is in many regional areas. This is only one example of how the proposed system discriminates against students and parents in my electorate.

Another mother recently wrote to me about her situation with her only daughter. She said:

Between my husband and I, we have a gross annual income of approx $110,000 to $115,000. This will mean that our daughter is not entitled to any government support if she only has one year off.

She hopes to gain entry into medicine. This has already entailed expenses and trips to Perth, as medicine requires that all prospective students have to sit the UMAT test.
Medicine is a six year high level course. Taking a two year gap year would make returning to study extremely difficult.

Medicine is one of the more expensive courses of study you can undertake, due to the cost of units my daughter will come out of this degree with a large HECS debt, as well as her parents experiencing financial loss or having to dispose of assets to allow her to achieve her dream.

It is possible that her only opportunity to follow the path of medicine will be if she obtains a scholarship. When doctors are in short supply and many rural and regional areas are without doctors, why is our current government making it so hard for our kids to achieve their potential and help ease the shortages we are experiencing.

A family of four from my electorate has also used the online estimator provided by DEEWR. The results of the estimator concluded that, over the nine years their two children will be attending university, they would qualify under the proposed system for $32,069.60—an average of $3,500 per year. The family also estimated how much assistance they would have received under the current system, including the Commonwealth scholarships for which they are eligible. The total assistance over nine years would have averaged around $14,500 each year. Commonwealth scholarships have been a critical resource for regional and rural students. All students were eligible to apply for a Commonwealth scholarship, unlike the government proposed start-up and relocation scholarships where students must be receiving youth allowance to qualify. This will mean no Commonwealth financial assistance will be available to regional and rural students who do not qualify for youth allowance.

Unfortunately for my constituents, who will all have to pay more to attend university, it took three and a half months of stress and despair for students and families in my electorate before the minister finally backflipped and made changes that will enable 5,000 2009 gap year students who live more than 90 minutes by public transport from the university and who commence their higher education in the first half of 2010 to access youth allowance. However, approximately 25,000 current gap year students will still miss out—young people who have planned their lives and tertiary education around gaining independent youth allowance status will miss out. These young people relied on information provided by Centrelink and their school career advisers based on current criteria. And to a regional or rural student—or even one in an outer metropolitan area without public transport—the 90-minute rule is as good as 90 hours. Without access to public transport, 90 minutes means no access to university. Who are and where are these 25,000 great young people who will not qualify for youth allowance this year as a result of the Labor government’s legislation?

It is no wonder that the coalition is extremely worried about education under this minister and the Labor government, given existing problems in delivering education programs. There has been the Building the Education Revolution debacle, a program that is plagued by waste and mismanagement and which has already seen at least a $1.5 billion blow-out. How many rural and regional students could have been assisted with their tertiary education with this $1.5 billion? In fact, the $14.7 billion BER program is now a $16.2 billion program, on borrowed funds that will have to be paid back by the very students who are currently attending the schools receiving the school halls and libraries. Effectively, this is intergenerational debt, courtesy of the Labor government.

We are all aware of $3.5 million allocated for plaques and $3.8 million allocated for display signs outside schools which have been found to be outside Electoral Commission rules. Our concerns with this legislation reflect Minister Gillard’s history of misman-
agement and waste, demonstrated by the computers in schools program, which blew out from $800 million to $2.2 billion and now this attack on regional and rural students through this youth allowance debacle.

To assist regional and rural students in overcoming the discrimination and disadvantage in this bill, the coalition has proposed amendments that will remove the retrospec-
tivity for current gap year students by moving the start date from January 2010 to Janu-
ary 2011 for the new workforce participation criteria and providing for a new dedicated rural and regional scholarship program, whether or not the students fulfil the gov-
ernment’s youth allowance criteria. I look forward to the recommendations from the Senate inquiries into both this legislation and the overall issue of support for regional and rural students.

I hope also that by now Minister Gillard has responded to the students, parents and families who took the time to write to her with their concerns regarding the govern-
ment’s proposed changes. I hope the minister has had to speak with the crying mothers on the phone. Then she may just have some idea of how worried parents have been, of the fact that they may not be able to afford to send their children to university and of what this has done and is doing to their families. Will the minister ignore the Victorian govern-
ment’s report and will she ignore the recom-
mendations of the Senate inquiries? The great young people and families in my elec-
torate cannot afford for this minister and this Labor government to ignore the very real issues facing regional and rural students.

Mr BRADBURY (Lindsay) (12.56 pm)—I rise to offer my wholehearted support for the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009. I come to this place representing the people of the electorate of Lindsay and I do so unashamedly. There is no question in my mind that the provisions set out within this bill will deliver great benefits to many constituents within my electorate. In the time that I have been in elected office over the last decade, as a councillor and more recently as the federal member, I have had many people raise with me the inequity in the way that student support has been made available to students. Many families earning a modest living have not been able to obtain any benef-
fit through the student assistance that is pro-
vided through youth allowance. These changes will expand the number of house-
holds, families and individuals within my community who will be able to access stu-
dent assistance, which is vital for students from low-socioeconomic backgrounds that are attending university or aspiring to attend university. That assistance is absolutely criti-
cal to them.

This is an important part of the govern-
ment’s commitment to lifting higher educa-
tion participation among those from lower socioeconomic backgrounds. The govern-
ment has set itself the ambitious objective of by 2025 having 40 per cent of those between the ages of 25 and 34 obtaining a bachelor-
level qualification. Most importantly, we aspire to having 20 per cent of higher educa-
tion enrolments at an undergraduate level coming from lower socioeconomic back-
grounds. This is of particular importance to my electorate.

I noted in the submission of the Western Sydney Regional Organisation of Councils to the review of higher education that Penrith, which is the local government area within which my electorate is located, has the low-
est university participation in the north-west Sydney subregion. According to WSROC, 2.3 per cent is the participation rate. The Greater Western Sydney participation rate sits at about 3.3 per cent, with the Sydney participation rate at 4.5 per cent. Clearly, the
WSROC figures demonstrate that many people in Western Sydney do not have access to university education in the way that those in other parts of Sydney have.

I know that many on the other side have brought forward the concerns that they hold for residents, constituents that they represent, in rural and regional communities. I will come to some of the provisions of the bill because I think that there will be many people, not just in electorates like mine but also many people in rural and regional communities that will benefit greatly from the proposals that are before the House at the moment.

I would like to begin by canvassing some of the aspects of the bill and in particular the area that is going to have one of the biggest impacts on my electorate: the changes to the parental income test. These changes combined with the introduction of the start-up scholarships will deliver a significant benefit to many young people in my community who are seeking to pursue higher education.

The changes to the parental income test is an area I have received much feedback on from my local community, and many people that feel that they have not had access to any support in the past will now be pleased to understand that they will be entitled to that relief when these changes come through. To look at what these figures mean to my electorate, under the old regime—the current regime—which is the legacy that was left behind by the former government, the full payment cut-out point sits at an income of $32,800. That will be increased to $44,165. Importantly, the median family income in my electorate is approximately $62,800. A large proportion of families within my electorate will now benefit from the increased opportunity to access the full payment under that threshold of $44,165.

More significantly for many of the families in my electorate, if we look at the reduced or softened taper rate and the impact it will have on payments that will be available to families whose children are pursuing higher education, we see that, for example, for a family with one child aged 18 at home under the old or current system, we have a total payment cut-off point at $58,288. Under the proposed changes this will increase to $75,937. The significance of that is that it takes that threshold above the level of the median household income in my electorate, and I know that there will be many families in my electorate that will benefit greatly from the increased opportunity to access youth allowance and income support. If we have a look at a family that has two children, let us say, one aged 16 and the other aged 17, both at home, the total cut-out point will increase from $57,794—once again, still below the median family income in my electorate—up to $97,023. So there will be a large proportion of families in my electorate that will now benefit from that change.

As another example, take two children aged 18 and 20, both at home. If you take this example, under the current arrangements the total cut-out point is that $62,080. That is just below the median family income in my electorate. That threshold has been increased now to $107,709, so a huge number of local families will now obtain the benefit of those changes. There are any numbers of permutations on the different types of family arrangements but the main and consistent principle that applies is that there will be more people in my electorate who will benefit from these changes, and that is a great thing.

One of the other changes that the bill proposes, which is a significant change that dovetails with the changes to those cut-out points and the softening of the taper rate, is the start-up scholarship which will ensure that all university students in receipt of youth allowance would receive $2,254 every year. That is a significant improvement in the po-
sition of recipients of youth allowance, and I note the fact that as a result of the relaxation of the parental income test many more students will be able to access youth allowance and will also get the benefit of the start-up scholarship, which will be a massive assistance to those people trying to meet all of the demands and the costs associated with higher education. In addition to that, I see that the bill contains the proposal for relocation scholarships worth $4,000 in the first year and $1,000 in each subsequent year, and there are proposals to provide a little bit more latitude for students in terms of the amount of money they can earn before they start to lose the payments that they receive in the form of their youth allowance. These measures are important measures.

A further measure that the bill contains is in relation to the age of independence, which will reduce progressively from 25 years down to 22 years by 2012. I think that will recognise the reality and the challenges that those students at the age of 22 are facing. The reality is that they are generally independent and not dependent upon their parents. These changes will be a significant part of the government’s proposals to lift higher education participation particularly amongst those from lower socioeconomic backgrounds.

I want to come to the false allegation that is made by those on the other side—and there is quite a bit of dishonesty going around in relation to the changes that are proposed for workforce participation criteria. I saw that the shadow minister in a press release that he issued on 20 October this year stated:

Any student from an average farming family, for example, will be ineligible to receive Youth Allowance because the value of the average family farm exceeds the assets test for the dependent rate of Youth Allowance. However the average farming family income is nowhere near enough to support their child’s move to the city, plus rent and living expenses, when that student is at University.

From what the shadow minister has said there, you would have expected that under the previous government—they were in government for almost 12 years—there would have been a more generous test in that regard. Clearly, if the shadow minister comes forward and says, ‘How outrageous it is that farming families would not meet the assets test,’ you would think those on the other side would have found it necessary and prudent to make a change to that test in their 12 years of government. Unfortunately, they did not. In fact, the assets test continues to be the same assets test as that which was in place during the time of the previous government. It begs the question why those on the other side who are getting so excited about this particular proposal did not act to amend the assets test to relieve some of the unfair burden that they believe the test calibrated at that point is going to impose upon people from farming families.

Indeed, the argument that seems to be being put forward by those on the other side is that the changes to the workforce participation criteria are directed at people from farming families. I would simply say to those on the other side that if the workforce participation criteria were only about providing some relief to those from farming families who could not meet the assets test, then why didn’t they explicitly say that? Why didn’t they explicitly ensure the benefit of that particular avenue for seeking support under the Youth Allowance program? Why didn’t they quarantine it just to people from farming families? They did not do that. The consequences of what they did do meant that a very large proportion of people from families who were not in need were receiving the benefit of youth allowance under the independence arrangements with the workforce.
participation criteria as it currently exists—the one that we intend to change. If we look at the figures there, we see that 18 per cent of those students who were living at home and receiving youth allowance under the independent criteria were from families with household incomes of more than $150,000.

Those on the other side were quite happy to say to those families in my electorate who were earning less than $32,800 as a family income that they were not entitled to receive the full amount of youth allowance payments but that it was okay for those families on incomes of more than $150,000—18 per cent of all students who were receiving payments—and that that was somehow fair, that was about delivering more equitable outcomes in higher education. Well, it was not fair and it did not deliver better outcomes when it came to improving access and equity in higher education participation. The figures are quite stark when we look at the declining rates of participation in higher education, particularly towards the end of the previous government. That is the decline that we seek to redress, and we seek to redress it through a whole range of measures, one of which is better targeting income assistance in the form of youth allowance and Abstudy to those who are particularly in need.

I also make the point in relation to rural and regional students that rural students receiving youth allowance will still have access to the higher away-from-home rate of payment as well as the remote area allowance, the fares allowance for up two return trips home per year and other benefits such as the low-income healthcare card and the pharmaceutical allowance. For those rural students who are dependent on their parents, the family assets test—the test that was in place under the previous government and continues to be in place—applying to dependent youth allowance recipients will take into account current market values, net of business or farm related debts, so we are talking net figures here. The limit is currently set at $571,500 for most families and is indexed each year. That valuation does not take into account the principal family home and it also excludes up to two hectares, in terms of a curtilage, beyond the family home. So the family home is excluded and the limit is as it previously was and continues to be: $571,500. That is the assets test and that is indexed each year. In addition to that, a 75 per cent discount is applied when assessing the business assets, including farm assets. This means that youth allowance can be received by dependent young people from small business and farming families, with assets up to the value of $2.286 million.

I have no difficulties in coming into this place and supporting a bill that says that we are going to ensure that someone from a family on a household income of $40,000 should not be excluded from the top rate of Youth Allowance in preference to someone from a household with net assets, excluding the family home, of $2.286 million. There will be arguments from those on the other side that people from farming families sometimes face particular challenges—and that is true. But I would make the additional point that families who are in drought affected areas, who are in possession of a drought relief exceptional circumstances certificate and who are in receipt of the exceptional circumstances relief payment and a payment under the Farm Household Support Act will also be exempted from the application of the parental income and assets test for student income support payments. Those families who are affected by drought and to whom that criteria apply neither the parental income test nor the assets test will be used to deny students from those families the benefits of the improved student assistance support regime that we are putting forward. In fact, those families are likely to benefit more from the relocation...
allowance. They will benefit from the start-
up scholarship and they will get the benefit of the relocation allowance. When you put the two together, you are talking about a $6,254 payment in the first year and then $3,254 in subsequent years. It is certainly nothing to be sneezed at.

There are plenty of families within my electorate who have been denied access to higher education because of the inequities that have existed within the current set of arrangements. This bill and these proposals will ensure that many of those families will be able to support their children and those students will be able to support themselves through university so that they can have the opportunity to realise their potential and to make a great contribution to our economy and country, and that is a great thing. It is a great thing for my region and I am very pleased to be standing up here in support of this proposition.

I make the point that I am not the only one who thinks that this is a good measure when it comes to increasing access for those from lower socioeconomic backgrounds. I note, in particular, that the chair of Universities Australia, Professor Coaldrake, in a recent press release said:

The increases to the parental and personal income thresholds will mean that more students from lower socio-economic backgrounds will be able to access the full rate of youth allowance while other eligible students will benefit from the reduction in the allowance taper rate relating to parental income from 25 per cent to 20 per cent.

The observation I make—supported by many others, in fact by any reasonable objective observer—is that these proposals are totally in alignment with the recommendations of the Bradley review, which found that student assistance has in the past not been as effectively targeted as it should be. I support the bill. This will deliver much needed relief to many families in my electorate and assist people in my community to improve their opportunities to access higher education and to make a contribution to our community.

Mrs Mirabella (Indi) (1.16 pm)—I rise to speak on the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009, which is of critical importance to many families right across north-east Victoria in my electorate of Indi. We had the previous speaker, the member for Lindsay, refer to ‘any reasonable objective observer’, though he did not go on to clarify what any reasonable objective observer might think. From what he said, one could infer that any reasonable objective observer could only support what the government was doing. By inference, of course, anyone who raised a question, or a doubt, or found out from objective analysis that a practical application of the proposed changes to their personal family circumstances would mean they would be worse off and their children would be worse off, are not reasonable and they are not objective.

This is no surprise. We are not shocked any more by the extraordinary application of the methods of propaganda described by George Orwell in Nineteen Eighty-Four. This government really goes out of its way to spin the impossible into the possible. We see this time and time again. But do you know what? When a proposed government change is so detrimental to so many families—even in a nation like Australia that has had a very stable political history, where there is relative political apathy—when you get an issue that touches the nerve of so many families, they actually prick up their ears, they get angry and they see the spin for what it is. This is exactly the case with these proposed changes to the youth allowance. It is quite fitting that as young people in my electorate prepare to sit their first year 12 exam on Friday, we are debating this legislation which, for many of
them, will have the potential to decide which path their lives will take.

Despite the Deputy Prime Minister’s best efforts over the last few months to spin her way out of this issue, local people know that their children will be worse off under the government’s changes. It does not matter what the government says. They can call them unreasonable, they can call them biased—these people know that their children will be worse off under these changes. I had Neal from Wangaratta—and I have had many constituents write; I will be quoting from some of their correspondence—say to me:

I heard Julia Gillard tonight on ABC regional radio as she tried to sell the changes. I was infuriated with her attitude and political spin.

The minister has pulled out absolutely all stops to convince people that the government’s changes will not disadvantage local people in my electorate. She rose in parliament on 1 June and mocked the current system as being skewed to people who earned $200,000, $300,00 and $400,00 a year, and that the coalition—that stood up to the government on these changes, which will seriously disadvantage students from many regional and rural areas—was seeking to ‘benefit those better off at the expense of the vast majority’. There you go again. If you raise any query about possible changes of policy of this current government—that is apparently all knowing and all seeing—then you must be on the side of ‘the better off’, you must be on the side of the bad people and you must be on the side of the oppressors. It is just typical spin: don’t try to explain a policy; don’t try to come up with a good policy—just turn around and attack your opponents. It is probably not just a tactic but a symptom that they have not yet realised that they are in government. Not only do they have a serious responsibility to govern for all Australians; they are also in government to initiate responsible policies and not just behave like an opposition as they did before the 2007 election.

Ms Gillard has tried very hard to convince people in my electorate that the Labor Party scheme is more generous for rural and regional students. She said in the Mansfield Courier on 15 July this year, ‘The allowance is still means tested but more generously, particularly for rural and regional students.’ Country people—and I know from direct experience of people in north-east Victoria—can see through cleverly crafted spin. They know that the government’s changes will leave students who need to move away to university high and dry in spite of anything that the minister may say. Nigel from Benalla says:

No matter what the rhetoric is, these changes discriminate against non metropolitan parents and students.

Year 12 students sitting their VCE exams in Indi this week and over the next few weeks have considerable uncertainty hanging over their heads. No matter how well they do in their exams, no matter how high their ENTER score and no matter what they achieve during the next few weeks, some of them may not be able to go on to the university of their choice—to which they have merited entry—because are not able to afford it. Many local families who have spoken to me and written to me already support their children who have left home to go to university, but they cannot afford all of the costs required for their children’s move, and accommodation and living expenses while studying at university. Many students take on extra jobs to help out with this. It is these expenses which put rural families at a disadvantage when compared to metropolitan families. Peter and Rhona from Lima East are both teachers. They have two sons. Their combined income exceeds the threshold. One of the sons is currently in year 12 and he wants to study law. They said:
Continuing to live at home while fulfilling his dream of tertiary study is completely impossible because of where we live. Whereas we had always planned to support our son’s tertiary education, we could not afford the high costs of paying for all of his living costs in Melbourne and supporting his costs of study.

Many families in my electorate are finding it difficult to make ends meet as it is, and they simply cannot afford the additional costs associated with sending their son or daughter to university away from their home base. It is for this very reason that many people in the local area choose to defer their tertiary studies for 12 months to take a so-called gap year. Until now, they have been able to gain access to the Youth Allowance scheme through the workforce participation or gap year route that the government is seeking to abolish with this legislation. They spend the year working to qualify for the independent rate of youth allowance so that they can afford to move away from home to attend the university of their choice.

The unfortunate reality for people from north-east Victoria is that, due to the high expense of moving away to metropolitan areas, they need some extra financial support, and this has been provided to many of them via the Youth Allowance scheme. Local students who have taken the gap year in the past have not complained, even though it sets them 12 months behind in their course, but have gone out to find work so that they can earn enough to qualify and achieve their ultimate goal to study at university. As one lady who wrote to me said:

If young people are prepared to spend a year working hard in order to qualify for the Youth Allowance so that they can attend University, then this should be rewarded, not discouraged.

Minister Gillard does not seem to understand that there are considerable costs associated with moving to a metropolitan area. As reported by the Mansfield paper on 15 July 2009:

Ms Gillard said the allowance had been perceived as students having to qualify by being independent from parents, but this was not so.

The minister clearly does not understand the reality for many local students. As Judith from Benalla said:

A ‘gap’ year is not a luxury, or a ‘rort’ it is a necessity for many rural students.

The Victorian Education and Training Committee Inquiry into Geographical Differences in the Rate in which Victorian Students Participate in Higher Education found that there was an overwhelming theme of the difficulty students face in meeting the cost of living. Estimated living costs were $15,000 to $20,000 per year. The committee heard that a substantial proportion of students struggle to accumulate sufficient income to meet the costs of undertaking their university course and that families also struggle to meet such high costs because often they have other dependent children at home, they are paying a mortgage and they have the usual financial burdens associated with raising a family. Carl from Allans Flat said:

These proposed changes are just another kick in the stomach to bush students and parents struggling to meet the costs of further education.

The choice to take a gap year is being made by an overwhelming majority of students in the local area. According to evidence presented to the Victorian Education and Training Committee inquiry, in 2007-08 one in three school leavers from non-metropolitan areas deferred their studies, compared with 10 per cent of metropolitan school leavers. Those who choose to take a gap year in order to qualify for Youth Allowance include students from farming and small business families—and students whose parents are public
servants or work in retail. It goes right across the board. These students are traditionally excluded from qualifying for the dependent rate of youth allowance because of the high value of their parents’ property or other business assets or because of the income test. Often, for these families, the reality is that they are asset rich but income poor. Many are earning a normal income—not a high income—but their children have been excluded because of the income test. Many families in the region, particularly farming families, do not have the cash flow required to support their children at university. Many of them do not qualify for drought assistance, so the exclusions that would usually apply to their situation do not apply.

There are a number of students in my local area who are currently on their gap year who have been caught up by the Rudd government’s changes. The Department of Education, Employment and Workplace Relations gave evidence to the Senate Standing Committee on Rural and Regional Affairs and Transport hearings into the Social Security and Other Legislation Amendment (Income Support for Students) Bill—that bill—that 25,000 students who are currently on their gap year will be denied youth allowance under the government’s changes. We saw the Deputy Prime Minister perform almost a backflip—maybe more of a half-twist—when she gave a reprieve to 5,000 gap year students in August. But Ms Gillard refused to even stand up in parliament and defend her own policy.

I have already referred in other areas to the inquiry of the Labor-dominated Victorian Education and Training Committee, which released its report earlier this year. The committee’s decision to investigate the issue of geographical influences on access to education was not made in relation to the federal government’s proposed changes, but the findings of the committee are alarming and do have serious implications for the government’s new Youth Allowance policy. The committee heard in 2007 that university application rates were below the state average in every non-metropolitan region apart from the Western District. It also heard that in 2007-08, 14 per cent of school leavers from non-metropolitan areas who received an offer from a university rejected their offer, compared with only 8.6 per cent in metropolitan areas. Anecdotal evidence presented to the committee also suggests that there are higher completion rates for metropolitan students.

Also significant, the committee heard that aspiration towards higher education is an important factor in the desire to pursue further education, and we have seen that in many other reports as well. For students with weaker aspirations, barriers to higher education participation are more likely to have a decisive influence, and this is certainly something I have seen in my electorate. Some students, upon learning the news that the government was proposing to make these changes to Youth Allowance, have already given up hope of attending university. Peter from Staghorn Flat said that the government’s plan ‘has caused significant anxiety—is against the principle of a fair go’. This really resonates amongst many young people, many of whom are about to embark on their year 12 exams.

While welcoming the government’s changes in principle, the Victorian committee expressed concern that the Rudd government’s changes will have a detrimental impact on access to higher education for those who need to live away from home to study. It was said in the committee report, ‘The committee believes that this change will have a
disastrous effect on young people in rural and regional areas.’

We see the Rudd government placing considerable emphasis on its two new scholarships—the Student Start-up Scholarship and the Relocation Scholarship, which replaced the Commonwealth Accommodation Scholarship. But in order to qualify for these scholarships, a student must be receiving youth allowance. So it really locks out disadvantaged students in any case.

Also significant, this Victorian committee heard that the amount available under the new Relocation Scholarship will be substantially less than that available under the existing Commonwealth Accommodation Scholarship. Many students have written to me and said that they will now have to work more during the university semester in order to support themselves financially. Previously students were able to cut back on hours they worked during the semester in order to focus on their studies, but many will simply not have a choice now. As Charlotte from Benalla said:

The new Youth Allowance Scheme will mean I not only need to earn enough money to make the move to the city where my course is held, which is quite expensive as it is, but when my course begins I will still need to work in order to live because there is no realistic way, to myself, to work 30 hours a week.

The Victorian committee found that excessive part-time work affected students’ well being and engagement in university life and academic achievement and led to an increased risk that students would not continue with their studies. As one mother, Ann from Mount Beauty, said:

As a rural student it is quite an upheaval to go off to university, leaving home and all its support mechanisms, finding your own way in a very different environment and trying to fund accommodation, textbooks, food, sporting activities and HECS. He knows we will help him but he does not want to burden us with those expenses of having to ‘ask’ for money to be able to do the little things like sporting competitions that are so important to his well-being.

Local people do feel disillusioned and let down. Some believed Kevin Rudd when he promised that if elected a Labor government would undertake an ‘education revolution’. The government’s changes to Youth Allowance fly in the face of the promise it made at the last election, whilst conveniently in opposition, ‘to create an “education revolution”, to create one of the most highly educated and skilled nations on earth’. Apparently you can be skilled and educated but not if you live in rural or regional Australia. As Judith from Benalla said:

Julia Gillard stated that ‘the Australian government is committed to addressing the intergenerational cycle of educational disadvantage’. This is commendable, but at the same time, indications are that a new group will now fall into the category of ‘educational disadvantage’.

And that is students from rural and regional Australia. Even Labor voters have expressed their disillusionment. Someone wrote to me and said:

I actually voted for them because I believed in them. I am sure both my husband and myself would have been happy to forego our lots of $900 if it meant keeping the Youth Allowance intact.

And I am sure many Labor members on the other side are hearing the same right across their electorates, even those who do not have rural or regional electorates. The coalition has moved amendments to the Youth Allowance. We urge the minister to accept the coalition’s amendments to ensure that rural students are not further disadvantaged.

Mr TUCKEY (O’Connor) (1.36 pm)—The Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 is one of the most outrageous pieces of legislation that has come to this parliament, but it is just so typical of the phi-
losophical attitude of a party that has said previously, under a previous leader, that they did not have any interest in small business and that they did not have any interest in country people. Nevertheless, as a number of government members—backbenchers—discovered when they came in here with grins all over their faces to put down a censure motion which attempted to put pressure on the government to realise how unfair and unreasonable these proposals were, their names were listed as voting down that effort from the coalition, the opposition. Suddenly there was at least some sort of response as it became patently obvious—as it will again today, when votes are taken on this matter—that they do not support country members, notwithstanding that they represent country people.

It has always been a fact in this place that nobody governs without a significant number of seats in rural and regional areas. They are legion. Of course, suggestions that 90 kilometres is the distance at which people are disadvantaged is patently silly. That may be the correct situation for someone who has a fast electric train outside their doorstep. For everybody else it is an untenable situation to attempt to travel that distance daily to conduct study, which is not always, of course, in daylight hours—many university courses and lectures occur in the evenings. The suggestion is that they then get in whatever mode of transport they might be lucky enough to own and drive back home. What is this all about? We can refer to the explanatory memorandum:

The first measure contains changes to the criteria upon which a youth allowance recipient is considered to be “independent”. Independent youth allowance recipients are entitled to a higher rate of payment and are not subject to a test for parental income.

There has also been a change in the age qualification from 25 down to 22 years of age. That is to be done in a phased-in fashion.

In addition, from 1 January 2010, a youth allowance claimant will no longer be able to attain independence through part-time employment or wages.

On the face of it, that might not appear to be too much of a problem. But it is in total contradiction with the employment opportunities that exist in so many rural and regional centres. The demand for labour is seasonal. It is well-paid in many cases, but in between there is no work. Who is going to go straight from year 12 and get a guaranteed job of 30 hours a week for 18 months in a rural centre of 100 or 150 people? Where is that sort of work available—and, if it were available to a year-12 worker, which more mature worker gets the sack? The independence clause is so changed that it is virtually impossible for students living outside the metropolitan area to comply. If there is a problem associated with the present scheme, it is with those from reasonably wealthy households who do stay at home and then claim to be independent simply because they have a job.

To get the sort of employment that presently applies under the act—that is, employment that pays about $19,000 during an 18-month period—many young people residing in rural areas do have to leave home. They do have to go and take employment elsewhere, because it simply is not available in their local regional community. But doesn’t it get better and doesn’t it just indicate how little knowledge the minister and her advisers have in regard to income? The explanatory memorandum says of the second measure, promoted by the minister as a positive:

From 1 January 2010, the annual parental income threshold for non-independent youth allowance recipients to get the maximum rate of youth allowance will increase from $32,800 to $44,165.

Where out of that sort of income—with, say, another couple of kids at home—do you find
the money necessary to transport and totally maintain a child in a capital city studying at university? Where is the money? To relocate that child, $10,000 or $15,000 would be required. Are you going to take that out of $44,000 and keep the rest of the family, pay the mortgage, pay the insurance and pay for the car out of what is left? Yes—if you are on 44 grand in Perth, Sydney or somewhere else and you live within a pushbike ride of a university, you can manage on 44 grand. It is maybe a reasonable assessment. But there is absolutely no recognition of the fact that that sort of money is very, very small for people in country areas who find themselves confronted with paying for the education of their children.

So what do many of them to? They pack up and leave, taking with them all their experience from their place of business, their place of work. They might be medical practitioners—people desperately needed in rural centres—who say, ‘We’ve got to go to Perth because the minister will give us a better deal up there in terms of salary calculations et cetera.’ As I have said on many occasions, including in this place, it so happens that, in the metropolitan areas of Australia, the richer you are, the closer you live to a university. This is not taken account of, either. So here we are with a silly figure that is promoted as relaxing the program. Yes, relaxing the program for those who will be the beneficiaries of these arrangements—those who reside in metropolitan areas, where public transport is available in most instances, with their family. The explanatory memorandum goes on to say in relation to the second measure:

The parental income reduction for youth allowance will also change from a taper rate of 25% per person, to a taper of 20%—

This is, arguably, positive only once you have discovered where you live. It is interesting to note this:

It is estimated that these changes to the parental income test will result in 67,800 additional students—none of whom reside outside the metropolitan area—qualifying …

Let me put the case for educating kids from the country. There are so many professionals required in the country—it could be in accountancy, law or medicine, and of course today university is a requirement for someone to be a nurse. A number of processes to assist in this area were brought forward by the Howard government, including an opportunity for below-the-line entry to medical school for about 100 students from country areas. Those students were below the line not because they were dull or did not have the intelligence; they were below the line because country students’ opportunities to study are somewhat restricted in terms of curricula and many other matters. The history of that program has shown that, when these young people do qualify and get into university, their rating amongst the other students rises rapidly. Because they are intelligent kids, they do not stay at the bottom of the pile.

Why do we have that program? Simply because of the evidence available that shows that students from rural areas, who are also more adjusted and very confident, want to live in their regional communities. They go back and deliver services to those taxpaying communities of people who make a huge contribution to our economic circumstances. They saved the government from a technical recession. If one studies export orders, one sees it was compressed exports of wheat from Western Australia that pushed the economy into positive territory. That is not disputable, being based on statistics. The whole thing is that we want these people to go back. Today they have got to have tertiary
skills even for the business of farming—probably more so if some of the issues relating to emissions trading and other schemes become a fact of life.

The fact is that these students are entitled to education and the only way that they have been able to get one is under the Youth Allowance scheme, which has a special category even for rent assistance—and so it should. Here are young people going out, taking on real employment and gaining some experience from that while also going on and learning and, in many cases, taking their acquired skills back to their areas—maybe becoming science teachers in country areas. Why do such kids have low TEE marks? They have them because in many cases the education authorities cannot find science teachers or high-level maths teachers for country towns, and this is a better way to get them.

The third measure provides new scholarships for students on income support. That is a big help. In 2010 such a scholarship will be worth $1,127 for six months. That is a total of $2,254 for 12 months. That is twice the average weekly wage, and a kid is supposed to spend 12 months in a capital city on the strength of that! Then they might get a Start-Up scholarship of $4,000 if they are eligible under these new arrangements. But, as I said, if you are a parent in a country area on $44,000, which is not the average wage anymore, then it is virtually impossible to maintain a child away from home.

This is also interesting. The financial impact statement tells us that in 2009-10, expenditure will be $85.7 million; in 2010-11 it will be minus $72 million—in other words, there will be a saving as there will be less money spent in this area—in 2011-12 it will be minus $127 million; and in 2012-13 there will be an additional expense. The total saving for the government will be $106 million. So much for the Education Revolution! So much for equal rights and equal access, one of the fundamentals of Australian society!

This is not equal access to education legislation; it is to the contrary. It improves somewhat opportunities for persons residing in a metropolitan area, but that is certainly not the case for country students. Whether or not there should be special arrangements that recognise the right of all Australian students to have access to top-quality tertiary education has always been a question that has gone unanswered in this place. If there is a distance disability why can’t that be recognised as such? Why would you set a wage limit of $42,000? The average rural family can survive on that if that money is for normal household expenditure. But the second that your family has additional costs you are over the limit.

I will put that in another way, as I have in this House before. Let us say we have a single-income family and junior gets high marks in his tertiary entrance examinations and wants to go and study medicine, engineering, agriculture or whatever it is. The parents look at the family budget and see that on, let us say, $40,000 a year they cannot afford the additional funds for junior to go away. So the wife says: ‘Well, we’ll become a two-income family. I have skills. I have previously worked as a professional nurse’—or, say, she has previously worked as a schoolteacher. ‘I’ll go and work up at the local supermarket.’ But what happens when she earns $10,000 or $20,000 a year? The family is over the parental income threshold, so they do not get any help anyway. How can that be fair and reasonable?

I am delighted that, recognising the needs of these people, the coalition has some amendments. They literally re-establish the status quo and so they should. If they are not agreed to, we will oppose this legislation.
That creates some administrative difficulties I understand, but so be it. I do not come to this House as a member representing country people to support legislation of this nature, and nor should about a dozen Labor MPs who also convinced people from country and regional areas to vote for them, I would think on the basis that they would be here to represent their interests. How any one of those people could cast a vote for this legislation is beyond me. What is more, I promise those Labor MPs faithfully I will be looking at the Hansard document where their names will be recorded and I will be posting out letters to their local newspapers reminding their constituents of how their local member voted on this issue.

The disappointment with these measures is universal. I have lodged in this place a petition with over 13,000 signatures, which I received in my office in Albany from all over Australia. If any of those on the other side think I have not got signatures from their locality, they will be surprised. How did this petition eventuate? I published a pro forma petition on my website that people could download to meet the proper requirements of this parliament, which are that such petitions must be on paper and be signed personally. The interesting thing about all that was that we published it and people had to make a physical effort. They had to download it. They had to visit their friends and visit other interested parties and say, ‘Will you sign this thing?’ In the first 10 days 6,800 signatures turned up, posted at the expense of these taxpayers. That is the measure of people’s concern. When a lot of people are angry, they may even make a phone call. Politicians who ignore people going through that particular process for the purpose of protesting against what is a rip-off do so at their own peril. And so it should be at their peril—we come to this place to represent the interests of our constituents.

There are 10 or 15 Labor MPs who have this situation in their constituencies and they do not care. They ran off and got a no-retrospectivity agreement from the minister, and that is the best they could do. They did not do it for the kids; they did it to give themselves a little bit of self-protection politically. It is a shame, and if any of them think that this legislation can pass without their constituents knowing how they have treated the children in their electorate, without recognising their callous disregard of the points I have made today, well, be it upon their heads.

Mr Melham interjecting—

Mr TUCKEY—Start whinging about it. I hope you do because all those speeches that have been made so far include speeches from people who have an overall responsibility to see the kids in their region get the same education as anyone else and for it to be affordable. We have that argument about health and we should have it about tertiary education. It is the same, and this sort of access rule is fundamental. When country parents make an effort to raise the money but make themselves ineligible in the process, that has got to be greatest piece of irony I have ever experienced.

Dr STONE (Murray) (1.56 pm)—The Deputy Prime Minister, who is the Minister for Education, is, among her many other responsibilities, the Minister for Social Inclusion. The Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 is all about social exclusion. If you are a country student who has done well in your secondary studies and you want to go to university but your parents cannot afford the $20,000-plus on top of the fees that must be paid, then you simply are not going to have a tertiary education. That is a social exclusion for those country students and it means rural and regional communities.
in the future will have an even greater problem attracting professionals to do the essential services that are carried out in country towns and cities. For example, we have got a massive shortage of doctors, nurses, teachers, engineers, social workers, lawyers, surveyors, hydrologists, IT specialists, and on it goes—a huge shortage. The only way we can guarantee that those professions are manned by men and women who will come through our tertiary sector is if a lot of them are born and bred in rural areas. That is simply the way our culture operates in this country.

I had the pleasure of opening a clinic the other day in Shepparton. It was a clinic for plastic surgery, a much needed service in our part of the world where sun damage too often leads to all sorts of cancers. In opening that clinic, the lead person, a very highly skilled and internationally renowned surgeon, said that the only reason he was working in Shepparton was because he went to school in Euroa, a nearby town, and he understands and appreciates what it takes to work, to set up a business and to thrive in a rural and regional area. This minister, the Deputy Leader of the Australian Labor Party, has made sure that country students are going to struggle and will not be able to afford tertiary education from a rural base. You have to wonder what is behind this. Is it a further gutting of rural and regional Australia’s economy or is it simply turning your back on Australians who struggle hard but who have the misfortune to be born beyond the tram tracks or congestion of Sydney? This is a serious problem.

The measures that the Deputy Prime Minister has introduced in this bill do not go anywhere near solving the problem of providing sufficient funds for those from families that have not got wealth to go to university. The first measure contains changes to the criteria that apply to youth allowance recipients if he or she is considered to be independent. As we know, independent youth allowance recipients are not currently subject to a test for parental income. The second measure makes significant changes to means testing of parents for payments to students and youth. From 1 January 2010 the annual parental income threshold for non-independent youth allowance recipients to get the maximum rate of youth allowance will be increased from $32,800 to $44,165. This is still far too low. You cannot have one or two students already at university or perhaps one or two students in your family still at school and find the $20,000 per year of additional fees to have your student go to a city to study at a university. It is simply not possible. Sadly, when I checked this year with career counsellors to look at how many promising Year 12 students were still applying for university, there is a huge drop off.

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

**MINISTERIAL ARRANGEMENTS**

**Mr RUDD** (Griffith—Prime Minister) (2.00 pm)—I inform the House that the Treasurer will be absent from question time today as he is unwell. The Minister for Finance and Deregulation will answer questions on his behalf. The Minister for Trade will be absent from question time this week as he is in Japan meeting with the new government and then visiting the Republic of Korea for the Trade Ministers Dialogue. The Minister for Agriculture, Fisheries and Forestry will answer questions on his behalf. The Minister for Resources and Energy and Minister for Tourism will be absent from question time today and tomorrow as he is in China attending the third ministerial meeting of the Asia-Pacific Partnership on Clean D-
velopment and Climate. The Minister for Agriculture, Fisheries and Forestry will be answering questions on his behalf today as well. The Minister for Early Childhood Education, Childcare and Youth, and Minister for Sport will be absent today as she is attending an Indigenous childcare forum in South Australia. The Minister for Education, Minister for Employment and Workplace Relations, and Minister for Social Inclusion will answer questions in relation to early childhood education, child care and youth on her behalf, and the Minister for Health and Ageing will answer questions in relation to sport on her behalf.

QUESTIONS WITHOUT NOTICE

Asylum Seekers

Mr TURNBULL (2.01 pm)—My question is to the Prime Minister. Has the Prime Minister received any advice that people smugglers are using his changes to Australia’s border protection policies since August 2008 to market their services to their potential customers?

Mr RUDD—I am unaware of such advice. I say to the honourable gentleman, the Leader of the Opposition, that I am sure that those engaged in the vile trade of people-smuggling would be conveying any sort of message to those who are the victims of their trade around the world in order to encourage their trade. Whether or not that information is accurate, that is the sort of dissimulation and disinformation in which people smugglers would engage. They do not represent an honourable profession. They represent a dishonourable profession which trades in lies, so it would not surprise me what people smugglers said to anyone at any time in any place in order to increase their trade.

Breast Cancer

Mrs D’ATH (2.02 pm)—My question is to the Prime Minister. Will the Prime Minister update the House on the importance of recognising Pink Ribbon Day and the challenge breast cancer presents for women and families across Australia?

Mr RUDD—Today is Pink Ribbon Day, a day when we reflect on breast cancer and its impact on Australian women, on Australian families and on the nation as a whole. Over the next 12 months, some 12,000 Australian women will be diagnosed with breast cancer and, over the next year, more than 2½ thousand Australian women will die of breast cancer. Also, over the next year, tens of thousands of Australian women will continue their very personal fight against breast cancer and they will prevail—they will win that fight. These are very much the three human faces of breast cancer: shock, suffering and survival. This is the challenge that we are reminded of on this Pink Ribbon Day.

These are mothers, grandmothers, daughters, wives, aunts, nieces, sisters, partners, friends, workmates and neighbours. Each of these diagnoses will touch the lives of the families and communities who support women who are suffering from breast cancer, from the initial shock and disbelief of the diagnosis to the fear and worry about the future, to the traumatic effects of treatment, to thankfully, for most, the joy of remission and recovery—but, tragically, for some, to the despair of losing a mother, a wife, a daughter or a friend.

Like many in this place, my own mother was diagnosed with breast cancer, and she was only 39 years old. She survived and went on to live until the ripe old age of 83. When it came to breast cancer, she was a survivor. Last week, my wife, Therese, helped launch a new audio resource for men whose partners are diagnosed with breast cancer. As Therese said at the time, behind every woman who receives a breast cancer diagnosis there is often a man whose world has also been turned upside down as he is
then confronted with the challenge and the responsibility of supporting his partner, his wife, his companion in an extraordinarily difficult challenge. Helping partners and friends and family to effectively support those who are diagnosed with breast cancer is an important part of our national response.

Breast cancer is the most common cancer diagnosed in Australian women. It accounts for more than one in four cancer diagnoses in women. The Australian government are currently investing some $2 billion in building a world-class cancer care system. This includes $12 million to the McGrath Foundation to recruit, train and place 44 breast cancer nurses across Australia, forty-three of whom have already started work; $31 million to reimburse women who have had a mastectomy as a result of breast cancer for the cost of external breast prostheses; funding for MRI scans for women under the age of 50 who have a family history of breast cancer; $120 million to replace BreastScreen Australia’s outdated equipment with state-of-the-art digital mammography equipment; and $168 million for the breast cancer drug Herceptin. We are also working with the National Breast Cancer Foundation, the National Breast and Ovarian Cancer Centre and the Breast Cancer Network Australia on special initiatives and programs, including a $2.7 million program to improve supportive care for women in rural areas who are diagnosed with breast cancer.

On top of this, the government is also investing some $1.3 billion in the nation’s cancer infrastructure, including $526 million towards two integrated cancer care centres that will provide state-of-the-art cancer treatment combined with cutting-edge research—the Chris O’Brien Cancer Centre in Sydney and the Parkville Comprehensive Cancer Centre in Melbourne—as well as $560 million to help build a network of best-practice regional cancer centres to help close the gap for cancer patients in rural and regional Australia.

As a nation we have lost far too many good women to this disease. As a nation we have watched and hoped and prayed as some of our best women have battled this disease. We have mourned those who have lost their battle. We have celebrated those who have won their fight against breast cancer. We also celebrate the lives of those women who have turned their struggle with the disease into a rallying call for better services, better treatments, better research and ultimately a better outlook for other women in the future. These are women who exemplify those core Australian characteristics of compassion, courage and resilience. Today all of us in this chamber, government and opposition alike, are proudly wearing pink ribbons to show our support, our admiration and our respect for these brave Australian women, and our determination to do all we can to help raise money and awareness for women battling breast cancer.

Mr Turnbull (Wentworth—Leader of the Opposition) (2.07 pm)—On indulgence: on behalf of the opposition, I commend the Prime Minister on his remarks and his support for Pink Ribbon Day and the efforts of all of us to promote better treatment, prevention and research into breast cancer. This is a scourge. Greater awareness will result in better treatment, more timely prevention and greater contribution of resources, both from governments and from individuals, to research. The Prime Minister’s efforts in this regard have our complete support. I am pleased to say that, just as he and I are at one on this issue here this afternoon, Therese Rein and Lucy Turnbull worked together supporting the same issue this morning.
Mr TURNBULL (2.08 pm)—My question is to the Prime Minister. I refer to the Prime Minister’s claim that his changes to Australia’s border protection policies have no connection whatsoever with the dramatic increase in unauthorised arrivals since the changes were made last year. I also refer the Prime Minister to last night’s 60 Minutes program, which included an interview with a self-proclaimed people smuggler using the name Majid. When asked whether Australia was tough or soft on asylum seekers coming by boat he replied, ‘Soft.’ Why won’t the Prime Minister admit what Majid and the Australian Federal Police have recognised—

Mr TURNBULL—I am glad our border protection is a matter of such hilarity to the government.

Mr RUDD—I thank the honourable member for his question. I would say in response to his question that, as he would know, people-smuggling has been a challenge for this country for 20 or 30 years—in fact, going back many decades. I also say to the honourable gentleman that, in the period that he occupied the government benches, the Howard government saw nearly 15,000 people arrive in this country by boat—altogether nearly 250 boats. One of the elements of policy which I assume he wishes this government to return to is temporary protection visas. I draw his attention to the fact that 90 per cent plus of those granted temporary protection visas by the then government ended up settling in Australia.

I, therefore, draw the honourable gentleman’s attention to the fact that this is a problem which has been with Australia for a long time. It will be with Australia for a long time into the future because it is always driven by what is happening in our region and the wider world, as it confronts other countries as well. Our policy is unapologetically tough but humane. We will continue to implement that policy into the future.

Mr MELHAM (2.11 pm)—My question is to the Prime Minister. Will the Prime Minister inform the House of the importance of regional cooperation in dealing with the challenge of people-smuggling?

Mr RUDD—I thank the member for Banks for his question. The Australian government is working hard with our regional neighbours to combat the challenge of people-smuggling. Our regional neighbours, like us, recognise that there are no easy options in tackling this challenge. For all countries these are tough challenges; they are not easy challenges. Our policy, as I said to those opposite just before, is unapologetically tough when it comes to people smugglers and unapologetically humane when it comes to dealing with asylum seekers. It is a tough but humane approach.

The risks on the high seas are too great, the tragedy of disasters too high and the incentives for people smugglers too great not to attempt to reduce the number of boats leaving Indonesia or other countries. We, the
government, make no apology for this regional approach. The truth is that people impacted by such a policy will not support it. It will not be praised by all Australians—it is not praised by all Australians. Asylum seekers do not want to settle in Indonesia, nor do they wish to be processed in Indonesia, but no-one wants to see a repeat of the tragedies on the high seas that we have seen in times past, no-one wants to see a repeat of the sinkings and the drownings that we have seen in the past and no-one wants to encourage people smugglers to put the lives of innocent people at risk. That is why we must do all we credibly can to reduce the number of boats that are leaving regional countries.

If detention and processing in Indonesia help prevent some of these perilous journeys then we must support such a policy. We must continue working with Indonesia, the United Nations High Commissioner for Refugees, and the International Organisation for Migration to improve facilities in Indonesia and the speed with which asylum seekers’ applications are processed. If asylum seekers processed in Indonesia are found to be genuine refugees then Australia, as previous Australian governments have done, together with other countries around the world, will continue to assist with the resettlement of such refugees. We must also continue to cooperate with Indonesia and other regional neighbours to do whatever is possible to prevent people-smuggling operations before they begin. Our policy objectives are clear cut—to deter people smugglers, in cooperation with regional partners, and to reduce the number of people who put their lives at risk in the hands of people smugglers.

This morning I returned from the East Asia Summit, where again government leaders from around the world and around our region recognised that this in fact is a transnational challenge. The summit communiqué released yesterday said:

We—
the 16 governments of the East Asia Summit—
reaffirmed our commitment to combat people smuggling and trafficking in persons. We stressed the importance of continued bilateral and regional cooperative efforts, including through the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, to address the impact of these and other transnational crimes.

Our regional partners and friends in east Asia recognise that this is a global problem. It is a regional problem. Forty-two million displaced people around the world, including 15.2 million who are refugees, and the increases in Iraqi, Afghan and Sri Lankan outflows over the last three years, has gone up respectively in the vicinity of 75, 100, 150 to nearly 200 per cent. We have also had this challenge in transit countries.

I note from some of the commentary that has been around of late that there is somehow a suggestion that Australian support for Indonesian efforts in this area—including in the processing facilities within Indonesia—is somehow a new initiative on the part of this government. For the information of the House, the Howard government launched initiatives to provide around $25 million for capacity-building initiatives in Indonesia over the last five years, including the refurbishment of detention facilities in Indonesia through the IOM, two Indonesian detention facilities at Tanjung Pinang and Jakarta, and for the training of Indonesian officials. It was also for the establishment of a network of IOM outreach officers to assist Indonesian authorities to monitor and manage a regular migration flow—some $2.6 million.

Furthermore, since 1999 Australian governments have provided $34.7 million to support humanitarian assistance in Indonesia, including accommodation, food and medical assistance for irregular migrants to Indonesia.
intercepted en route to Australia. For some to suggest that this is somehow a new departure in policy I think does not reflect accurately upon the historical record. This government’s policy, as I have said before, seeks to take a hard-line approach with people smugglers and seeks to adopt a humane approach with asylum seekers. It is the balanced approach adopted by mainstream governments around the world. We have also invested a record amount in surveillance and interception. There was some $654 million additionally announced in the last budget and in 2008-09 the total number of flying hours and sea days undertaken by vessels and aircraft—conducting surveillance in our northern waters—was more than in the previous year, with the number of sea days in 2008-09 being 25 per cent more than 2005-06. Our policy is also unapologetically humane. We have ended mandatory detention for children. Some opposite seemed to be calling for its return. We have abolished the failed temporary protection visas. Some opposite seem to be advocating its return. We have scrapped the so-called Pacific solution. Now those opposite, it seems, advocate its return.

In the period that the government has been in, we have had some 85 disruptions of planned smuggling adventures since September 2008, involving nearly 2,000 persons. That has been with the assistance of the Indonesian national police. The government has already returned almost 100 people because their asylum claims have been refused. Since September 2008, 15 people have been convicted in Australian courts and eight separate people are facing people-smuggling prosecutions. Further, currently before the Australian courts are 38 defendants in 14 separate matters, with three defendants in three separate matters involving organisers and facilitators. This is the practical action which goes to a practical and balanced policy on dealing with the scourge of people smugglers and the humanitarian plight of asylum seekers. It is a balanced approach, a mainstream approach; one which unapologetically also engages our friends and partners in the region, as previous Australian governments—were they to honestly reflect—have done as well.

Mr Tuckey—Mr Speaker, I ask that the Prime Minister table the document—the lengthy statement from which he was reading.

The SPEAKER—Was the Prime Minister reading from a document, or is the document confidential?

Mr Rudd—Yes it is, Mr Speaker.

Asylum Seekers

Mr Turnbull (2.18 pm)——My question is to the Prime Minister. I refer the Prime Minister, again, to last night’s report on 60 Minutes and the revelations from self-proclaimed people smugglers that, in taking asylum seekers to Australia, they do not seek to reach the Australian mainland but instead deliberately seek to be intercepted by Australian maritime patrols. Has the Prime Minister received advice that confirms people smugglers are now deliberately seeking to be picked up by Australian maritime patrols?

Mr Rudd—This government—together with previous governments, I would hope—would always adhere to its obligations under international maritime law when it comes to requests for assistance on the high seas. I would assume that all governments would adhere to their obligations because Australian citizens who find themselves at sea in parallel circumstances would I think expect other governments around the world to adhere to the same international protocols which govern—

Mr Turnbull—Mr Speaker, I rise on a point of order about relevance. This is not about safety at sea; it is about tactics of peo-
ple smugglers. We are asking a straightforward question and the House deserves a straightforward answer.

The SPEAKER—The Prime Minister is responding to the question.

Mr RUDD—The question dealt with anything from what was on television last night through to what was effective on the ground, including our obligations under international maritime law. So what I am answering at the moment is that part of the question which dealt with obligations under international maritime law, which I think all governments—all civilised governments around the world—would seek to adhere to. The honourable gentleman refers to, it seems, his new source on television last night. I assume he has at least received some email communication from that source and I assume it has been properly authenticated. Can I say to the honourable gentleman that this is a serious debate for the country.

Dr Stone—Mr Speaker, I rise on a point of order. The question was about what advice the Prime Minister had received about people smugglers deliberately seeking to be detected by Australian patrols. The Prime Minister is completely off the topic. Can you bring him back?

The SPEAKER—The Prime Minister has the call; he is responding to the question.

Mr RUDD—I welcome, always, interventions from the member for Murray, given her complete endorsement of current government policy on immigration only last year. When asked if she supported the government’s approach on migration policy, she said—almost as if she was taking a marriage vow—I do. That is what she said. So I always welcome this consistency in approach on the part of those opposite when it comes to these matters. We have seen it in a few other areas of policy as well: support one thing one day, change our tune the next depending on what is going on with the debate.

Mr Pyne—Mr Speaker, I raise a point of order. The Prime Minister is defying your request for him to be relevant to the question. If he does not want to answer the question he should just sit down. I note that he has all the answers laid out for himself there—

The SPEAKER—Order! The member for Sturt will resume his seat. It is permissible for the Manager of Opposition Business to raise a point of order. It is not then permissible for him, after being brought to order, to continue onto extraneous matter. The Prime Minister has the call; he will respond to the question.

Mr RUDD—The honourable gentleman’s question went to the particular motivations of individuals who were seeking to exit a particular country en route to Australia and whether they were embarked upon deliberate tactics so to do. Obviously, the circumstances with each individual vessel will differ. That is simply the reality. Our job is to respond through the medium of a balanced, fair, tough, humane policy, which we are prosecuting and will continue to do so into the future.

Asylum Seekers

Ms HALL (2.23 pm)—My question is to the Minister for Foreign Affairs. Minister, how is Australia tackling the issue of people smuggling in our region, and how is the Australian government working with the Indonesian government to improve cooperation on people smuggling?

Mr STEPHEN SMITH—I thank the member for her question about how Australia is responding, together with our region, in particular Indonesia, to the challenge of people smuggling and people movement. Of course, we know that throughout the world today we have over 40 million displaced people with very many of those potentially in
our region or displaced towards our region. So regional cooperation is very important.

Australia and Indonesia co-chair the Bali process, which is the regional institution through which, together with the countries of South-East Asia and the Pacific, we deal with these matters on a regional basis. Earlier this year, then Indonesian Foreign Minister Hassan Wirajuda and I co-chaired, for the first time in a number of years, the Bali process at ministerial level. Of course, so far as our relationship and our cooperation with Indonesia is concerned, Hassan Wirajuda and I brought into force the Lombok Treaty between Australia and Indonesia when we signed it in Perth in February 2008. The Lombok Treaty, of course, refers to cooperation between Australia and Indonesia on people smuggling, people trafficking and people movement.

As members would be aware, in recent times the Prime Minister and President Yudhoyono, as well as former Foreign Minister Wirajuda and I, have had discussions about what further cooperation there can be between Australia and Indonesia to confront this heightened challenge. It is a heightened challenge in which we now see the potential for large numbers of people to move from Sri Lanka as a result of the civil war there and also as a consequence of what is very clearly now the case of people smugglers using heightened techniques and different and better efforts to avoid disruption and secure their objectives. The government has made it very clear that we are in discussions with Indonesian officials underneath the umbrella of the Lombok Treaty and, effectively, the Bali process to see what else we can do to address this problem.

We are in discussions with Indonesia over how we can be of assistance in terms of greater information sharing, greater intelligence sharing, and how we can work more closely so far as disruption of people-smuggling efforts are concerned within Indonesian waters and generally. We are also in discussions with Indonesia about what more we can do to be of assistance to Indonesia when it comes to the detention of asylum seekers on Indonesian territory, the processing of asylum seekers on Indonesian territory through the United Nations High Commissioner for Refugees and also the assistance of the International Organisation for Migration, and how Australia can be of greater assistance for settlement and resettlement purposes.

These endeavours are not new. As the Prime Minister referred to earlier, it is the case that Australia and Indonesia have cooperated for a number of years, and the previous government in the end worked closely with Indonesia on these matters. For example, when it comes to detention facilities within Indonesia, the previous government, as has the current government, provided assistance to Indonesia for detention centres and to improve the facilities available for detention in Indonesia. It is also the case that both the current government and the predecessor government have worked closely with Indonesian agencies so far as disruption is concerned. I have made it clear, as has the government, that we are open to further assistance to Indonesia for detention centres and to improve the facilities available for detention in Indonesia. It is also the case that both the current government and the predecessor government have worked closely with Indonesian agencies so far as disruption is concerned. I have made it clear, as has the government, that we are open to further assistance to Indonesia for detention centres and the facilities and conditions available in detention centres are concerned. I might make the point that today my colleague the Minister for Defence, Senator Faulkner, is in Indonesia on his way back from Bratislava from the NATO and ISAF meeting. He will be in discussions with the Coordinating Minister for Politics, Law and Security, Minister Suyanto, and we are hopeful that, at the APEC meeting in Singapore in the middle of November, officials will be able to report to the Prime Minister and
President Yudhoyono as to progress made on these fronts.

There are some particular matters of interest which I would like to draw to the House’s attention. There is, of course, interest in the Oceanic Viking. My most recent advice is that the Oceanic Viking is currently at an anchorage point some 10 nautical miles off the coast of Indonesia and is in discussion with Indonesian officials, including officials on an Indonesian vessel near the Oceanic Viking, as to the disembarkation of the 78 asylum seekers on board the Oceanic Viking onto Indonesian soil. This will be the subject of ongoing and continuing discussions between Australian and Indonesian officials, but at this stage I am confident that those arrangements will be effected in the course of the day and we certainly look forward very much to a smooth, orderly and appropriate transfer of those asylum seekers from the Oceanic Viking to Indonesian territory.

I have also seen suggestions that some detainees or asylum seekers in the Tanjung Pinang detention centre may have been badly treated. I welcome very much the fact that Indonesian police have indicated they are investigating those matters. Australia would, of course, very much want for any asylum seeker held in detention in Indonesia to be treated appropriately. If any serious allegations are made then they need to be investigated by the appropriate authorities. The Indonesian police have indicated that is occurring. I do make the point that detention centres in Indonesia, including the Tanjung Pinang detention centre, on which the previous government and the current government have expended funds to assist in the improvement of facilities, is subject to visits by the International Organisation for Migration and subject to access by the United Nations High Commissioner for Refugees.

I conclude by making this point: the theme of the questions from the Leader of the Opposition through question time has been that the only issue relevant, in the Leader of the Opposition’s mind, is the consequences of the government change in policy in this area. I simply make the point to the House this Monday, as I did last Monday—and the response has been deafening in its silence—if the thesis of the opposition is that it is the changes made by the government to immigration and refugee matters that is the cause of the current difficulties, which our entire region faces, then simply tell us which ones you would change. Would you see women and children behind razor wire in Baxter again? Would you see the reintroduction of temporary protection visas? Would you see processing occurring in the Pacific through Nauru or Manus Island? All the Leader of the Opposition has to do is to simply indicate to the House and to the Australian parliament which of these changes he would propose to reintroduce.

Asylum Seekers

Ms JULIE BISHOP (2.31 pm)—I refer the Prime Minister to the Australian Customs vessel, Oceanic Viking, and the 78 asylum seekers who have been on board for eight days since they were intercepted. Have the Prime Minister or his office been involved in the decisions about where this Australian Customs vessel should dock and where these asylum seekers will be detained?

Mr RUDD—I thank the honourable member for her question. As far as the specific arrangements concerning the Oceanic Viking are concerned, I would draw her attention to the remarks just made by the Foreign Minister to the House. In terms of the processes involved in the decision making about where the vessel would dock and to whom asylum seekers would then be provided into the care of, those are matters
which have obviously occurred in the government, but by which agencies within the government and by which officers, I am unaware. Our obligation with our friends in Indonesia is to work in a clear and practical way, and we have done so.

Infrastructure

Mr RAGUSE (2.33 pm)—My question is to the Minister for Infrastructure, Transport, Regional Development and Local Government. Will the minister outline to the House the importance of the infrastructure investment and the reform agenda being pursued by the Rudd government? How has this been welcomed by the business community?

Mr ALBANESE—I thank the member for his question and for his ongoing interest in infrastructure development. Indeed, I welcome the report that was released today by the Business Council of Australia because what it does is remind me and the Australian people that the Rudd government and the business community are talking the same language. Both of us recognise the importance of infrastructure development to our future economic prosperity. Indeed, infrastructure investment has been important in the short-term in insulating the Australian economy from the worst of the impacts of the global financial crisis. That was emphasised also in a report released just last week by the Australian Constructors Association and the Australian Industry Group. The president of the ACA, Wal King, said:

Encouragingly, the survey results indicate that the Government’s infrastructure stimulus measures and the number of large government-supported programs in the pipeline have avoided a larger downturn in activity.

Importantly, the results indicate that infrastructure work will remain at high levels. Indeed, 70 per cent of the government stimulus package is in infrastructure. That includes rail and road but it also includes the initial $4.7 billion investment in the National Broadband Network, the $3.5 billion investment in energy infrastructure through the Clean Energy Initiative, the $16.2 billion investment in education infrastructure and the $6 billion investment in our housing infrastructure program. The largest growth in social housing in Australia’s history is occurring right now.

We also have a longer-term investment, when it comes to infrastructure development, with the $36 billion we have allocated in road and rail infrastructure through the Nation Building Program—some $9.3 billion is under way right now. We have completed 32 large-scale projects within our first two years in office. The last budget saw the first ever significant federal investment in ports with the new proposed port at Okajee in Western Australia and of course Darwin port. It also saw $4.6 billion invested in urban public transport, which is very important not just for dealing with our economic future but also for dealing with the challenge of climate change. We are spending more on rail infrastructure in just 12 months than the previous government spent in 12 long years. During the Howard years, public investment in the nation’s infrastructure, as a proportion of national income, fell by close to 20 per cent.

But of course it is not just about investment; it is also about policy and regulatory reform. COAG has already approved nationally consistent public-private partnership guidelines. Infrastructure Australia is developing for COAG a national port strategy and a national freight strategy. COAG has already agreed to an integrated single-layer approvals process for major projects. The Australian Transport Council, in two weeks time, will be meeting to finalise the regulatory reform agenda that will go to COAG in December, creating a single national regulator for heavy vehicles, for rail and for maritime—a reform agenda too hard for over a
century. We have been able to achieve it in just two years. We are re-engaging in cities policy through the creation of the Major Cities Unit. We look forward to continuing to work with the business community. We recognise that not everything has been done and that there is a lot more work to do, but we are getting on with the job. We have put in place a framework to ensure that infrastructure development will remain at the heart of the government’s economic policy.

Asylum Seekers

Dr STONE (2.38 pm)—Mr Speaker, my question is to the Prime Minister, and I refer the Prime Minister to this table, which graphically illustrates the incredible surge in people-smuggling activity from August 2008, when this government began dismantling the strong border protection policies of the Howard coalition. Mr Speaker, how can the Prime Minister continue to maintain that his government’s policies have had no impact whatsoever in the incredible luring to the new market of people smuggling coming into Australia? Australia is the new destination.

Mr RUDD—I was just passing my good wishes again to the member for Murray and welcoming her contribution to the debate. Mr Speaker, the member for Murray points to numbers. In this place, for the last week or so that this debate has been going on, I have said repeatedly that in the period of the Howard government, nearly 250 boats arrived in Australia carrying nearly 15,000 boat people. Can I say to those opposite: I have not heard anyone so far dispute any element of the accuracy of those numbers. So the member for Murray can slice and dice data as she so chooses; they are the facts. The second fact is this: in the period we have been in government, there have been around 40 boats that have arrived in this country with about 1,700 to 1,800 individuals. That is over a period of about two years. The Howard government was in office for about 12 years, with nearly 15,000 people on 250 boats.
But what is this really about? It is about the Liberal Party deciding to play the asylum-seeker card because they see it is full of good politics for them. Whatever happened to the member for Wentworth campaigning in the seat of Wentworth on the Liberal-progressive side of the party? Gone, gone, gone—a million—as he is now seeking to pitch his message to the right wing of the party, where he hopes to save his leadership. He is saying to the right wing of the party, ‘I hear your pain on asylum seekers.’ I could ask, why doesn’t he instead reserve his venom for those vile individuals who are people smugglers, rather than to mete it upon the victims of people smugglers, the asylum seekers themselves.

Dr Stone—Mr Speaker, I seek leave to table the graph.

Leave not granted.

Mr Hunt—You can run, but you can’t hide!

The SPEAKER—The member for Flinders cannot hide! I understand that he has some business that he wishes to transact within an hour, so he had better be a little careful if he wishes to transact that business!

Employment

Mr BRADBURY (2.43 pm)—Mr Speaker, my question is to the Minister for Education, the Minister for Employment and Workplace Relations and the Minister for Social Inclusion. What is the government doing to address the need for skills as the economy recovers?

Ms GILLARD—I very much thank the member for his question, and I know that he is concerned about how the nation is preparing for the recovery and about the ability of constituents in his electorate to access new skills and new employment opportunities. We have seen in the past the consequences of skill shortages. We saw them under the Howard government and we saw what a decade of neglect of investment in skills development does. What we saw under the Howard government was skill shortages in many sectors of the economy. They had completely neglected, for example, the skill shortages in the child-care sector. They had completely neglected to prepare for the skills we would need as an ageing community and with growing demand in aged care. Perhaps worst of all, under the Howard government trade skills training and apprenticeships languished for a decade, with major skill shortages in a number of key sectors arising as a result.

In contrast to this woeful decade of neglect and mismanagement, this government is planning for recovery by investing in skills and training. I draw the attention of the House once again to our $100 million Apprentice Kickstart package, an important initiative to get young people into apprenticeships; to make sure that a kid leaving school this year gets a chance this summer with an employer to gain valuable trade skills. The incentive for employers for taking on a trades apprentice has moved from $4,000 to $7,350. It is a kick start; it is time limited; it is deliberately there to get apprenticeships moving and to give kids leaving school this summer an opportunity. I know that those who are concerned about the fortunes of young people in their electorates and are preparing for a recovery are working with their local employers on this important program. In addition, that program provides $20 million for pre-apprenticeship programs to assist those young people who need literacy and numeracy skills development in order to access an apprenticeship.

I would also draw the attention of the House to our $145 million Securing Australian Apprenticeships package. This is a package to help apprentices who find themselves out of a trade to get another opportunity. To
date, over 23,000 claims have been paid under this initiative—that is, young people getting a new start having lost their employer during the days of the global recession. I think that is to be welcomed. Then, of course, we see 10 per cent of the contract labour hours of stimulus projects being labour hours for trainees and apprentices. The government has also established a national resource sector task force to coordinate the skills needs of our resource sector. We estimate that there are 630 Australian apprentices currently in training in the mining industry in Western Australia alone, but we know more needs to be done.

Our Productivity Places Program is also playing a role for the skills needs of the resources sector. Of 5,700 Western Australian job seekers enrolled in our Productivity Places Program, 800 are in areas such as extractive industries, mining and civil construction. We have also provided funding through the relevant skills council to upskill workers in the mining sector, and that is supporting the upskilling of 150 existing workers. Our universities are also responding to our new policies and settings. Demand for engineering courses in 2009 increased for the fourth year in a row and is up by 10 per cent in response to demand from mining and construction. This is a government that is planning for recovery, making the necessary investments in skills and training now—a stark contrast to the decade of neglect under the Liberal Party.

Rail Infrastructure

Mr WINDSOR (2.48 pm)—My question is to the Minister for Infrastructure, Transport, Regional Development and Local Government. The minister would recall announcing on 12 December 2008 a $290 million infrastructure stimulus payment to go towards the funding of a new rail alignment through the Liverpool Range on the boundary of the New England and Hunter electorates. Could the minister update the House and those groups that will benefit from the removal of this infrastructure bottleneck to the Port of Newcastle on the current status of this project?

Mr ALBANESE—I thank the member for New England for his question and for his ongoing engagement with the infrastructure agenda. I do recall making that announcement. That was part of the $1.2 billion that the government committed to the Australian Rail Track Corporation as part of our economic stimulus package. It was for a range of projects right across the country, from the Kalgoorlie line to work in South Australia, Victoria and New South Wales, and last week we announced the engagement of some work up to the Acacia Ridge from the New South Wales border. Indeed, $290 million of it was for the Liverpool Range project, connecting, as part of the work we are doing in addition to that, $580 million of rail infrastructure in the Hunter. We are getting on with the job. The entire work of the ARTC will more than double the capacity on the Hunter Valley rail network. Two projects have already been completed since they were announced as part of the package—the Maitland to Branxton line, with the bidirectional signalling project being commissioned into operation in May; and the St Helier and Muswellbrook duplication, completed in August. Announced, commenced, completed. Other projects are under way, including the Ulan line, passing loops and duplication, and the Minimbah Bank third rail line.

In relation to the new rail alignment over the Liverpool Range, I can advise the member that the ARTC is currently working with industry to agree on the scope and the commencement date of the project. The ARTC is developing a feasibility program to evaluate the best option for the Liverpool Range. The feasibility evaluation has already been sub-
mitted to the effected industry for their approval and support. This is a project about the ARTC cooperating with the private sector industry, working hand in hand. Indeed, the last meeting with industry was just one week ago. At that meeting they agreed in principle to move on to the next stage. This is an important new infrastructure project for raising productivity and that is why the ARTC’s capital works program is planned in conjunction with the industry to meet their future capacity demands. I will keep the member informed on an ongoing basis about these discussions and about the important work which will take place.

Budget

Ms NEAL (2.52 pm)—My question is to the Minister for Finance and Deregulation. What steps is the government proposing to return the budget to surplus?

Mr TANNER—I thank the member for Robertson for her question. The government is committed to returning the budget to surplus as quickly as possible in the wake of the global financial crisis and, in accordance with that goal, has adopted the objectives of offsetting all new spending and applying a cap of two per cent real increase to government spending from the time when the growth numbers return to trend to the time when the budget returns to surplus. As part of those objectives, the government has commenced the ordinary process of consideration of savings options earlier than normal—in fact, several months earlier than normal—as part of the preparation for the forthcoming budget.

The government are open to considering opposition proposals and community proposals for savings initiatives in this area. We have already made very substantial cuts in spending in specific programs and indeed costs for running government in both the 2008 and the 2009 budgets. We are lectured on an almost daily basis by the opposition about the evils of deficits, the danger of debt, and yet never—not once in the course of this parliament—have we received any specific commitments or proposals from the opposition for savings initiatives that could increase the overall fiscal position, reduce deficit and reduce debt. Underneath all of the rhetoric thus far, we have had virtually nothing in the way of substantive proposals.

I note that the opposition has put in place an expenditure review committee. This was announced with some fanfare on 30 July this year by my opposite number, Senator Coonan, who seemed to be under the impression that perhaps this was the first time an opposition had ever done anything of this kind—if you look at the ABC Radio transcript from when she announced it. Perhaps she has not done any research about what ERCs do and whether there have been ERCs in opposition before, but there certainly were ERCs when Labor was in opposition and those ERCs in fact did develop specific spending cut proposals and put them to the people at the election—

Mr Turnbull—Mr Speaker, I rise on a point of order which goes to relevance. The minister was not asked about the opposition’s plans; he was asked about his own.

The SPEAKER—The Minister for Finance and Deregulation will respond to the question.

Mr TANNER—It is probably fortunate for the opposition that I was not asked about their plan because it is a rather threadbare one, unfortunately. There are four motherhood statements in their purported plan, none of which include any specific savings initiatives. There is not a single savings initiative. So, to great fanfare a few weeks ago, they announced their—

Mr Pyne—Mr Speaker—
The SPEAKER—Order! The Manager of Opposition Business will resume his seat. The minister for finance will bring his answer to a conclusion.

Mr TANNER—I am disappointed that the opposition do not wish to have their spending cut proposals discussed in the parliament. The fact that there is nothing there to discuss might be a significant impediment to having such a debate.

The government is committed to returning the budget to surplus at the earliest opportunity. It has in place a specific set of criteria that will ensure that. In both the 2008 and the 2009 budgets very substantial savings initiatives were put in place, some of which are still to be approved by the Senate. So, if there is any credibility in the position and the posture being adopted by the opposition, they will pass the reductions in the private health insurance rebate that will save $9.5 billion over 10 years and help to return the budget to surplus.

Asylum Seekers

Mr TURNBULL (2.57 pm)—My question is to the Prime Minister. I refer the Prime Minister to his earlier answer to the Deputy Leader of the Opposition in which he said he was not aware of whether he or his office—or, indeed, which government officers or agencies—were or had been involved in the decision-making process regarding the Oceanic Viking. Will the Prime Minister undertake to make inquiries and report back to the House with a definitive answer describing the extent to which his office or he himself was so involved in the decision-making process regarding the Oceanic Viking?

Mr RUDD—On the first point, the member for Curtin asked me a question about decision-making processes concerning the destination of this vessel—that is, the port to which it is currently headed. On that particular matter, I myself had no engagement. As to the involvement of other agencies or individuals within the government, I do not know. Furthermore, can I say that diplomatic communications between one government and another, as is consistent with conventions going back a long time, are a matter of confidentiality and shall remain so.

Opposition members interjecting—

Emissions Trading Scheme

Mr MURPHY (2.58 pm)—My question is to the Minister for Defence Personnel, Materiel and Science and Minister Assisting the Minister for Climate Change—

Opposition members interjecting—

The SPEAKER—The member is going to have to start again because those on my left are continuing their commentary after questions and answers are completed. They should sit in silence when others have the call.

Mr MURPHY—My question is to the Minister for Defence Personnel, Materiel and Science and Minister Assisting the Minister for Climate Change. Minister, how will the Carbon Pollution Reduction Scheme help Australia address the challenge of climate change?

Mr COMBET—Last week the government reintroduced the Carbon Pollution Reduction Scheme legislation into the House of Representatives and it is due for debate this week. The government remains committed to passing this important legislation this year. We are anticipating that it will be voted on in the House in the week commencing November 19 and then passed through to the Senate. The reason the government remains committed to that time frame is that the science on climate change is clear. As one of the hottest and driest continents, Australia has a lot to lose and we cannot afford further delay.

It was pleasing last week to see a cross-party meeting of members of parliament with
Australian climate scientists. I would like to put on record our thanks to the members for Isaacs and Moore for organising that important meeting, which was an opportunity for parliamentarians to engage directly with Australian climate scientists to explore many of the important issues. In the lead-up to Copenhagen, the more countries that are moving forward the greater chance of a comprehensive international outcome. Passage of the CPRS legislation before Copenhagen will undoubtedly strengthen the government’s capacity to contribute to an international outcome.

The Carbon Pollution Reduction Scheme gets the balance right because it ensures that Australia can meet its emissions reduction targets in the most cost-effective way. By assisting emissions-intensive and trade-exposed industries and industries such as the coal sector, the scheme supports employment, particularly in important regions of this country, whilst underpinning investment certainty and the economy’s transition to a low-pollution future. The CPRS also provides important assistance to electricity generators to maintain investor confidence and, importantly, provides for assistance to lower and middle-income households to help them adjust to these changes.

As I indicated last week during question time, the government welcomes the coalition’s proposals, but it is very important that those proposals be both fiscally and environmentally responsible and credible. Proposals that reduce the amount of permit revenue available by excluding sectors or giving them additional support will have fiscal and environmental implications. For example, the exclusion or the proposed exclusion by the coalition of coal methane emissions from the CPRS would have the effect, were it implemented, of pushing responsibility onto other industries to further reduce their emissions so that Australia could still meet its emissions reduction targets.

So it is with interest that we await further explanation of these particular issues from the member for Groom, who is representing the opposition in the good faith negotiations with the government. The time to act on these issues is now. Therefore, I urge all members of this place—all parliamentarians—to support the good faith negotiations, to rise to the challenge of climate change and to get behind an outcome that is in the national interest and ensure a vote on this important legislation this year.

Veterans

Mr BRUCE SCOTT (3.03 pm)—My question is to the Minister for Veterans’ Affairs. I refer the minister to the case of a Vietnam War veteran in my electorate who applied for a part-service pension and was told to present to the Toowoomba Department of Veterans’ Affairs office the following documentation: an application to determine qualifying service by a veteran, a claim for a service pension, a claim for a service pension part B income and assets, a private company questionnaire, his discharge certificate, his drivers licence, his wife’s drivers licence, his Medicare card, his birth certificate, his wife’s birth certificate, his passport, his wife’s passport, a copy of his superannuation statement and his original marriage certificate.

After presenting the long list of documentation he was then told that because of the lack of resources in the Department of Veterans’ Affairs the processing of his application would take a minimum of three months. Why are the needs of our diggers not given top priority by this Labor government?

Opposition members: interjecting

The SPEAKER—Order! The member for Canning has been having a running commentary throughout the whole of question time. If he wishes to take it up as an occupation
outside the chamber I can arrange for him to leave. He is warned.

Mr GRIFFIN—Obviously the member is aware that I am not aware of the details of the particular case he raises. I know that on many occasions he has been prepared to raise cases with me on an individual basis outside the chamber. I offer that opportunity to him again on this occasion and am happy to discuss the details. He should be in no doubt as to the priority and commitment this government has to its veterans. Our commitment is as one with that of the previous government and from a funding perspective is in line with the commitments we made at the last election, which were extensive and were well supported by the veteran community. I am happy to discuss the individual’s case.

On the question of the provision of paperwork and the requirements to try and sort out the sorts of issues that have been known to both sides of the House with respect to some of the complexities around the system, this government, through an interdepartmental working group and work between the various agencies involved in the many needs of our veteran community, has made quite a lot of changes and undertaken initiatives to try to minimise the level of paperwork required. The former Minister for Veterans’ Affairs would also know, with his extensive knowledge in this area, that we often deal with difficult situations around the paperwork in this area. I remind the House that just recently we dealt with a case in the public forum which, although entirely different to this, highlighted the fact that record keeping in this area is a complex thing. Issues around proof and administration are also complex and need to be taken into account to ensure that everyone gets their entitlements and that people are treated appropriately. I am happy to discuss this matter with him outside the chamber and to discuss those issues in some detail.

Climate Change

Mr TURNOUR (3.06 pm)—My question is to the Minister for the Environment, Heritage and the Arts. What risk does dangerous climate change pose to Australia’s environment and our way of life? How is the government acting to address these risks?

Mr GARRETT—I thank the member for Leichhardt for his question, because I know he has a significant interest in this issue, as do his constituents in Far North Queensland. The fact is that dangerous climate change poses fundamental risks to Australia’s environment and to our livelihood. These risks are increasingly well understood by experts, by scientists and by the Rudd government. Earlier this year I released Australia’s biodiversity and climate change: a strategic assessment of the vulnerability of Australia’s biodiversity to climate change. The report says:

Biodiversity is one of the most vulnerable sectors to climate change … Many of Australia’s most valued and iconic natural areas, and the rich biodiversity they support, are among the most vulnerable to climate change. They include the Great Barrier Reef, south-western Western Australia, the Australian Alps, the Queensland Wet Tropics and the Kakadu wetlands.

It goes on to say that we are already seeing changes that are consistent with climate change impacts. For example, fire regimes in southern Australia—which we have witnessed in their tragic consequences—have been changing. This is consistent with a drier and a hotter climate. We have seen eight mass bleaching events since 1979 on the Great Barrier Reef triggered by unusually high sea surface temperatures. The report also makes some alarming predictions about the ecological impact of dangerous climate change:

… for tropical rainforests, higher temperatures and changes in rainfall patterns – longer dry periods between intense rainfall events – will increase
the probability that fires penetrate into rainforest vegetation.

Freshwater fish species, the report says:
... are vulnerable to reductions in water flows and water quality and, in addition, have a limited capacity to migrate to new waterways.

In a report I released—

Opposition members interjecting—

Mr GARRETT—They are not interested in the hard science on climate change, which actually affects their communities, which they are incapable of acting on.

The SPEAKER—The minister will ignore the interjectors.

Mr GARRETT—I repeat, in an important report, the Great Barrier Reef outlook report 2009, which I released last month, there was confirmation of significant threats to the reef. As we know, the Great Barrier Reef is one of Australia’s and the world’s great natural assets. It is worth some $6 billion a year and supports over 63,000 jobs in fishing, tourism, and cultural and recreational industries. Critically, a two-degree rise is expected to cause serious damage to the Great Barrier Reef, with experts predicting a shift from hard coral dominated reefs to seaweed dominated reefs. Worryingly, from the Institute of Marine Science, research shows us that calcification rates in large boulder corals have declined some 15.2 per cent throughout the Great Barrier Reef since 1990. This is absolutely unprecedented, at least in the past 400 years. So there are significant risks to our environment, risks to our economy, risks to our unique ecosystems and our biodiversity, risks to productive landscapes and risks to industries. Report after report sends these alarm bells well and truly ringing.

That is why it is absolutely critical that Australia plays its part in reducing our own emissions. It is absolutely critical to recognise that we do not have any time to wait.

The science is in and the risks are real and already very present. The only excuse for continuing climate change inaction, for continued delay, is if you do not accept the risks—if you continue to reject the evidence, if you continue to deny the science. If you do accept that Australia has so much to lose from dangerous climate change, then it follows that the sooner we take responsibility and transform our economy for a low-emissions future, the lower the costs and greater the benefits will be. That is what this government is bringing forward with the Carbon Pollution Reduction Scheme—

Mr Pyne—Mr Speaker, I rise on a point of order. This answer is not only extremely lengthy and therefore highly unlikely to be still relevant, but it also should be being answered by the Minister for Climate Change and Water.

The SPEAKER—The member could have been sat down because he has ignored my warning earlier about raising points of order. On the point of order, the question was in order and therefore the minister in responding to the question is in order.

Ms Julie Bishop—But it is the wrong minister.

The SPEAKER—There are some very brave souls who continue to interject. I have just ruled, even though it is a little late to be raising this point of order, that the question was in order. That means the words of the question was in order and also the minister to whom it was directed was in order.

Mr GARRETT—The fact is the opposition has never understood the significant impacts that dangerous climate change has on our environment, and that is self-evident from that interjection by the Manager of Opposition Business in the House. The government is committed to bringing forward a Carbon Pollution Reduction Scheme, rolling out the largest energy efficiency program we
have seen in Australia and acting decisively to address dangerous climate change. That is what Australia expects; that is what this government will deliver.

**Nation Building and Jobs Plan**

Mr LAMING (3.13 pm)—My question is to the Minister for the Environment, Heritage and the Arts. I refer the minister to these invoices issued to my constituent, a ceiling insulation installer, by the nearest cellulose insulation manufacturer, which is located in the Prime Minister’s electorate. The invoices are dated 10 weeks apart—on 15 July and 23 September this year. Minister, in July, insulation bags wholesaled at $19 per bag. Just 10 weeks later, on 19 September, they were $32 a bag. That is an inflation rate—just a touch outside the RBA target range!—of 317 per cent per annum. Minister, is my constituent living in a banana republic, or has the government stimulus package overheated the ceiling insulation sector to the point where gouging and profiteering is costing Australian taxpayers millions of dollars without a single extra batt being installed?

**Opposition members interjecting**—

The SPEAKER—Order! A question has been asked. The minister has approached the dispatch box for the call to give the answer. He will be heard in silence.

Mr GARRETT—The member opposite is more familiar with the details of invoices than I am. I thank him for his question and I point out that under this particular program that the government is rolling out there are specific guideline requirements that installers are required to sign up to as a consequence of being able to install insulation under this program. It is the case that we have a significantly enhanced robust monitoring compliance regime in place. We have a series of specific audit requirements to make sure that if there are any issues in relation to price differences that show up in the invoices that are produced they are followed up by the department and by the particular audit agencies that are responsible—in this case, PricewaterhouseCoopers, who have been independently commissioned to do this work.

I make the point that, if there are anomalies in pricing in relation to this program, my department wants to know about them and they will be followed up. We specifically added to the compliance requirements of this scheme by providing a pricing guide that specifically identifies the range within which invoices should actually be identified and delivered according to the amount of ceiling space. If there are instances of figures that go outside of that pricing guide they automatically trigger the audit and compliance regime that is in place and the particular matter in question is followed up specifically by my department.

The fact is that this is one of the most successful energy efficiency programs that we have ever seen in this country. We now have over 450,000 Australian households that have taken the benefit of ceiling insulation, but, if there are any issues around compliance and any issues around overcharging, they will be dealt with. I will refer that matter, and the matter that the member has raised with me, to my department.

Mr Laming—I seek leave to table the ‘Bowman banana republic’ invoices. Leave not granted.

Mr Albanese—Mr Speaker—

Mr Danby interjecting—

The SPEAKER—The Leader of the House will resume his seat. The member for Melbourne Ports simply ain’t helping, I just say. I think that may be a lesson for members—if they genuinely want documents tabled, they should do it without adding argument to the way in which they do it.
Mr Baldwin—Take a Bex!

The SPEAKER—If the member for Paterson’s comment was referring to me it is regrettable.

Mr Baldwin—It was to the other side.

Mr Albanese interjecting—

The SPEAKER—I have enough problems protecting myself, Leader of the House. But, no, it would not be for ‘precious petals’ very much—the required way of addressing people.

Mr Laming—I seek leave to table the invoices.

Opposition members interjecting—

Opposition members—One said ‘yes’ and one said ‘no’.

Leave granted.

Opposition members interjecting—

The SPEAKER—Order! Don’t stretch your luck.

Breast Cancer

Ms LIVERMORE (3.18 pm)—My question is to the Minister for Health and Ageing. What is the government doing to support breast cancer initiatives?

Ms ROXON—I thank the member for Capricornia for her question. It gives me an opportunity on Breast Cancer Day to add to the comments that the Prime Minister opened question time with and to give a little more detail and information about the support that the government has been providing to women to ensure that breast cancer can be diagnosed early. And of course the Prime Minister took the House through the importance of these initiatives given the prevalence of breast cancer across the country.

What I think is important for us to recognise and take stock of on a day like today is that Australia actually has a very strong track record in managing breast cancer. The report released today by the Institute of Health and Welfare and the National Breast and Ovarian Cancer Centre found that we have been making steady progress. I think that the Prime Minister might have mentioned one of the figures from this report. I think it is pretty impressive—and all members of this House can be proud of this effort by our researchers, scientists, health professionals and others—that between 1994 and 2006 the death rate from breast cancer fell by 27 per cent and the percentage of women living longer is also improving. We also now have a five-year survival rate of 87.8 per cent compared to 71.8 per cent in the mid-1980s. So, although this disease is very prevalent and still exacting a terrible toll on the community, we are winning in our challenge to reduce its impact and extend people’s lives.

The results are, I think, testament to the importance of the BreastScreen program, which receives more than $134 million annually from the Commonwealth and the state and territory governments. A recent expert report found that BreastScreen is one of the best cancer-screening programs in the world—not just in Australia. And it is not just something from one government. As Australians, we can be proud of having one of the best cancer-screening programs in the world.

But it is important on a day like today to remind Australians, particularly Australian women who are in the target age group of 50 to 69, that they need to remember to get a mammogram every two years. We still do not have a majority of women in that age group taking advantage of that program. It is there and available for Australian women and we know we can improve outcomes if there is early detection of this disease.

We are also providing our core funding of more than $13 million for the good work of the National Breast and Ovarian Cancer Centre and we have invested more than $27 mil-
lion through the NHMRC for grants connected with breast cancer research. Importantly, we are also supporting some special initiatives and programs of the National Breast Cancer Foundation, the National Breast and Ovarian Cancer Centre and the Breast Cancer Network, including for the first time $2.5 million to involve over 100,000 women in the National Breast Cancer Foundation’s community survey. This is going to give us a population-wide set of data and information, which we have never had before. It is something that I think will improve those figures even more in future years. Another $800,000 is going to the centre for programs to improve early detection and management of breast cancer in younger women, in Indigenous women and in men, who we know can also suffer from breast cancer.

Breast Cancer Network Australia will also receive just over $1 million to continue the production, promotion and dissemination of breast cancer resource kits. I know many people in this House have provided to their constituents and used themselves the My Journey kit and the Hope & Hurdles pack, something that has been very helpful for women when they go through the phases that the Prime Minister mentioned—the shock of diagnosis, coping with the treatment and, of course, recovery. So I would like to commend and congratulate the National Breast and Ovarian Cancer Centre, the National Breast Cancer Foundation and the Breast Cancer Network for their continued excellence and service to the community.

There is still much more work to be done, but with these sorts of initiatives added to the many that the Prime Minister mentioned, like the support for McGrath Foundation nurses, funding for external prostheses, the regional cancer centres and the digital mammography equipment that was funded in this year’s budget, we can improve those statistics even further. So I encourage all members of this House and all Australians to continue to support this fight. I also again encourage women to remain aware of the risks for women in the key age group of 50 to 69 and to not put off getting a mammogram; it could save your life.

Aged Care

Dr WASHER (3.23 pm)—My question is to the Minister for Ageing. Minister, since the election of the government there have been no applications from aged-care facility providers in my electorate of Moore to invest in high-care aged-care beds. Can the Minister explain the reasons for this lack of interest in high-care aged-care places in northern Perth?

Mrs ELLIOT—I thank the member for his question and I am certainly pleased to highlight our funding for aged and community care in Western Australia and right across Australia. Over the next four years, funding for aged and community care will reach record levels of $44 billion, and the government is investing record amounts in aged and community care with more than $2.6 billion being invested in residential aged care in Western Australia over the next four years. Since the election of the Rudd government, operational residential aged-care beds in Western Australia have increased. Indeed, the latest aged-care approvals round saw a total of 1,544 new aged-care places for Western Australia. This consisted of 519 residential aged-care places and 1,025 community care places worth over $50 million in annual recurrent funding. In addition, over $10.5 million has been allocated in capital and community care grants to develop and support new services.

Mr Tuckey—Mr Speaker, I rise on a point of order relating to standing order 104 but more so to the issue of responsibility to the people of Australia. The question was about
old people who are not getting the expenditure necessary to house them in the northern suburbs. We are getting a diatribe about expenditure and no answer for the people.

The SPEAKER—Order! The member for O’Connor will resume his seat. He cannot debate his point of order. If the point of order is on relevance, the Minister for Ageing is responding to the question.

Mrs ELLIOT—Those figures I outlined before bring the total of operational aged care places in Western Australia to more than 19,900. As I said to the House last week, with this government’s commitment to health, hospital and aged-care reform, we have been going around the country speaking to many frontline health professionals about the future of our health and aged-care systems, an area that the coalition neglected whilst they were in government. We saw a severe lack of funding right across the sector when it comes to aged care. It is this government that has delivered record funding to aged care and delivered increased compliance when it comes to aged care.

Mr Dutton—Mr Speaker, on a point of order: the minister has made no mention of high-care places. I know all of these flowery figures hide the fact that there has been no interest in high-care places and no mention—

The SPEAKER—Order! The point of order has to be a point of order on relevance. The minister is responding to the question and I indicate to members that, as they know, it is not possible for the occupant of the chair to direct the way in which the minister decides that he or she will respond to the question.

Mrs ELLIOT—As I said, this government has committed record amounts to aged care—$44 billion over the next four years. We have also recognised that, for the long term, we need to be providing the health, hospital and aged-care sectors for our ageing population, an area neglected by the coalition when they were in government. Alternatively, the Rudd government are committed to making sure we are having extensive consultations on the National Health and Hospitals Reform Commission report and, as we have said in the House many times, we are consulting with frontline health professionals around the country—areas which the coalition neglected time and time again.

Schools

Mr BEVIS (3.30 pm)—My question is to the Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion. Will the minister update the House on the importance of listening to practising principals and how we can draw on their experience to lift the education standards in Australian schools?

Ms GILLARD—I thank the member for Brisbane for his question. He is a man who has devoted his life to education policy both in this parliament and in the days before this parliament. We are a government that wants to hear the voice of Australian principals. That is why in November we are inviting to the national parliament principals from right around the country—from primary schools, from secondary schools and from every school system; from metropolitan areas, from regional areas—to talk through the government’s reform agenda for education. That reform agenda is an education revolution. We intend to have a conversation with principals about our new transparency measures, which will powerfully compare the circumstances of schools around the country, particularly schools serving similar student populations so when we see best practice we can share it and when we see problems we can act to make a difference.

In terms of acting to make a difference, this is a government making an unprece-
dented level of investment in school education. For schools that need a helping hand, we are investing $1½ billion to assist schools in low SES communities, because we know that in this country educational underachievement and being from a poor household are very strictly correlated. We also know life does not need to be like that; we can make a difference for those children from poor households and we intend to. We also intend to make a difference to the quality of teacher education and interaction with students. We know the most important thing is the quality of interaction in classrooms between teachers and students. That is why we have embarked on reforms to bring high-achieving graduates to the classrooms that need them the most in disadvantaged schools, through our Teach for Australia policies. It is why we already have, in classrooms in parts of this country, a new scheme to pay the most highly accomplished teachers more to go to the classrooms that need them the most. And we are making huge investments in literacy and numeracy because we know if students do not get the foundation stones of learning then they will be left behind for the rest of their lives. We have also embarked on the biggest school modernisation program the nation has ever seen, as well as delivering a national curriculum around the country, with the Australian Curriculum, Assessment and Reporting Authority well advanced on the national curriculum in the first four key subjects of maths, science, English and history.

Given the breadth of our education revolution agenda and our respect for principals, we will be bringing them together in Canberra for a national conversation. This is an opportunity for those who care about education to come together to talk through the government’s agenda for education and to talk through the future of Australian schooling. We understand that principals, who are on the front line every day, are the best people to come and advise national government on the rollout of our policies.

There are those in this parliament who care passionately about the future of education. There are those in this parliament who have no policies and no plans. As we look across at the opposition, unfortunately we see an opposition with no stated policies on education and no plans for the nation’s future. We inherited from them a schooling system where we could see that Australian education was starting to fall behind world standards and poor kids were finishing last. We are getting on with the job of an education revolution to make a difference to that. Unfortunately, the opposition cannot join us in this national conversation because they have got no policies and no plans for Australia’s kids or Australia’s future.

**Australian War Memorial**

*Mrs Markus (3.34 pm)*—My question is to the Minister for Veterans’ Affairs. Will the minister confirm to this House that the Department of Veterans’ Affairs is spending $1.3 million on a consultancy to provide an upmarket executive leadership program and that his department has spent an additional $10,000 on a separate consultancy to ‘plan and coordinate the Department of Veterans’ Affairs sports carnival’? Minister, why then has the Department of Veterans’ Affairs cut $1.3 million from the budget of the Australian War Memorial, forcing the War Memorial to seek commercial sponsorship for the last post ceremony, one of our most sacred rituals, which commemorates Australians who have given and continue to give their lives for us? Minister, what does this say about this government’s priorities?

*Mr Griffin*—I will go through the issues raised by the shadow minister. One was the issue of staff learning and development and the need to provide support in that area.
There are a couple of things that need to be understood there. This is something that occurs within departments and within governments of all political persuasions. In fact, it is something that governments would generally see as something they should do. But I agree with the opposition that, when times are tough, you need to look at exactly what sort of priority you put on that. That is why under this government we have cut the level of spending with respect to that type of assistance within the department. Just to give some figures to the House, in 2008-09, departmental expenditure on learning and development was a total of $3.96 million; in 2007-08, $4.6 million; in 2006-07, $4.46 million; in 2005-06, $4.29 million. So on this occasion what we have got, again, is the opposition coming along and complaining about something that we are doing when, in fact, they did it more. That is on that general point.

Another issue was raised, which I think is also important—that is, the support provided and the consultancy that was mentioned with respect to the sports carnival. I share your concern on that issue very deeply. From discussions with the department, I can assure you it will not be happening again. But do you know what? It has happened before. This is not the first sports carnival for staff of the Department of Veterans’ Affairs. It is considered to be an important part of their team building, but I do not think it is something that should be subsidised by the department and I think $10,000 is way too much. Let us look back to 2007.

Mr Pyne—Mr Speaker, I rise on a point of order. This was a serious question about cuts to the last post ceremony at the Australian War Memorial and the relativities between their spending and their cuts. The coalition did not cut the last post at the Australian War Memorial.

The SPEAKER—The minister is responding to matters raised in the question. The minister has the call.

Mr Griffin—Although I do not want to detain the House any longer, I have more to respond to. I agree that $10,000 is too much. Actually, I think $20,000 would be way too much and, in fact, $30,000 would be pretty rich. If you go back to the 2007 sports carnival, which was when you were in government, the subsidisation effectively provided to that exercise was over $34,000.

I will go to the final point of the shadow minister’s question and the intervention of the member for Sturt—the last post. The circumstances with respect to the War Memorial are the same as they were under the previous government—that is, we provide a budget, there is an independent council of eminent Australians and they make decisions about what they do and how they do it with respect to the priorities of the memorial. I think that is a very important principle. I do not think that politicians should be telling them what they should be doing around a very important cultural institution.

Mrs Markus—Mr Speaker, I rise on a point of order. The War Memorial has been cut. It has received a cut of $1.3 million under your government.

The SPEAKER—The member for Greenway will resume her seat. If it were well done, people might wish to reflect whether I should take action against the member for Greenway for coming to the dispatch box and not raising a point of order. The minister is responding to the question.

Mr Griffin—And to the very point we are talking about here. I apologise to the House. Because I was so excited to get up and answer this question I did not get the right bit of paper with the specific details about what has happened with War Memorial funding over the last few years, but I can tell...
you that the effect of your efficiency dividend over the last few years is more than what has occurred with our efficiency dividend in the last two years.

Let us go back to the last post. It was a choice made by the memorial council, and I have to say it is a choice that I support because I support their right to make those decisions. Let us not forget that sponsorship is not a new thing at the memorial. There are a range of galleries and other activities—conferences et cetera—at the memorial that are also sponsored. As I and I am sure many others are aware, the eternal flame is also sponsored. The eternal flame has been sponsored since 1988. The last sponsorship of the eternal flame was established in 2005. Who was in government then? For those who have not been to the War Memorial—and, by the sound of it, there are quite a few of you—there is a plaque beside the eternal flame that makes that clear.

The ceremony will continue to be held in a dignified manner—of that there is no question. I have complete confidence in the War Memorial director and council to do that properly. The fact of the matter is that it is in line with what occurred under the previous government, of which many of you were in fact members.

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

PERSONAL EXPLANATIONS

Dr STONE (Murray) (3.43 pm)—Mr Speaker, I wish to make a personal explanation.

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

Dr STONE—Most grievously.

The SPEAKER—I call the member for Murray.

Dr STONE—Earlier on in question time the Prime Minister claimed that I wholeheartedly endorsed the Labor Party’s detention policies last year. As someone who actively objected to the abolition of mandatory detention for all while their identity, security and health were checked, I can say that we opposed the abolition of mandatory detention; we opposed the abolition of the 45-day rule; and we opposed the abolition of the detention debt for all. I think the Prime Minister was trying to refer not to my opposition to all of the detention measures that have been changed and softened by this government but rather to my membership of the Joint Standing Committee on Migration, whose first report was tabled a few weeks after I joined that committee. That first report basically echoed—

The SPEAKER—The member must go to where she has been misrepresented.

Dr STONE—I am explaining where the Prime Minister was indicating my support.

The SPEAKER—The member cannot debate the question; the member must go to the point where she has been misrepresented, and she has had a long preamble.

Dr STONE—That detention report—the first report of the Standing Committee on Migration—in fact echoed coalition policy. It talked about continuing our policy of making sure children were not detained and reviewed.

The SPEAKER—Order! The member has shown where she thought she was misrepresented. She cannot debate the matter. The member for Murray still has the call but she will now conclude or now go to other matters because she has already outlined where she has been misrepresented.

Dr STONE—Having been misrepresented on both those two issues, a third suggestion was that I supported the abolition of the Nauruan-Manus part of the Pacific solu-
tion. Let me ask the Prime Minister to go to
the transcripts, which quite clearly show that
I explained how we evolved that policy to
the building of the detention centre on
Christmas Island.

The SPEAKER—Order! The member
has indicated where she has been misrepre-
sented.

QUESTIONS TO THE SPEAKER
Questions in Writing
Mr RAMSEY (3.45 pm)—Under stand-
ing order 105(b), which refers to replies that
have not been received within 60 days after a
question has first appeared on the Notice
Paper, could I ask you to write to the Minis-
ter for the Environment, Heritage and the
Arts, Peter Garrett, about question in writing
No. 852, seeking a reason for the delay. It
has now been 76 days since the question was
lodged.

The SPEAKER—If question No. 852 has
not been answered, I will take the action re-
quired of me under the standing orders. I
would just indicate to members that I will,
where I can remember the numbers, be doing
so in that manner. I know that the member
for Boothby is in the chamber and I do not
think he, in any way, did it deliberately when
he raised some of the questions, but some of
the answers were—as they say in the clas-
sics—in the post and I only ended up having
to write on three of the questions that he
raised with me. I think he raised with me six
or seven questions. I am not in any way indi-
cating that the member for Boothby did so
deliberately but for the correctness of the
record what I will indicate is that I will check
whether that question has been answered or
not. If it has not, I will take action.

Dr Southcott—Mr Speaker, as I was
mentioned in passing, I just wanted to make
very clear that I based my question to you
last week on the information in the Notice
Paper and that we had not received those
replies from the minister at the time that I
asked you that question.

The SPEAKER—I was certainly not in
any way accusing the member for Boothby
of doing anything untoward. I was just indi-
cating that in the end there were only three
that were outstanding. If there is further need
for me to investigate whether they are in the
pipeline, I will do so.

DOCUMENTS
Mr ALBANESE (Grayndler—Leader of
the House) (3.47 pm)—Documents are pre-
sent as listed in the schedule circulated to
honourable members. Details of the docu-
ments will be recorded in the Votes and Pro-
ceedings. I move:

That the House take note of the following
documents:
Aboriginal Land Commissioner-Report for 2008-
09.
Australian Broadcasting Corporation (ABC)-
Report for 2008-09.
Australian Industrial Relations Commission and
Australian Industrial Registry-Report for 2008-
09.
Centrelink-Report for 2008-09.
Director of National Parks-Report for 2008-09.
National Native Title Tribunal-Report for 2008-
09.
National Transport Commission-Report for 2008-
09.
Private Health Insurance Ombudsman-Report for
2008-09.

Debate (on motion by Mr Hartsuyker)
adjourned.

BUSINESS
Days and Hours of Meeting
Mr ALBANESE (Grayndler—Leader of
the House)—by leave—For the benefit of
members, the debate will commence on the
Carbon Pollution Reduction Scheme legisla-
tion on Wednesday, after the introduction of
some new bills. I have had discussions with
the Manager of Opposition Business and we have agreed that an assessment will be made then and—by agreement—perhaps the House might extend its sittings on Wednesday evening past eight o’clock, perhaps to around 10 pm, and on Thursday past five o’clock perhaps to seven pm, by agreement without votes being held so as to maximise the contribution that members are able to make. I make this statement to the House for the benefit of members but also, importantly, for the benefit of parliamentary staff.

BRADFIEL ELECTORATE: ISSUE OF WRIT

HIGGINS ELECTORATE: ISSUE OF WRIT

The SPEAKER—On Monday, 19 October 2009 I informed the House of the receipt of the resignations of the honourable Dr Brendan Nelson and the honourable Mr Peter Costello. I indicated that consideration was being given to possible dates for the by-elections for the electoral divisions of Bradfield and Higgins, and that I was consulting with party leaders and the independent members in relation to the matter. It is my intention to issue a writ on Friday, 30 October 2009, for the election of members to serve for the electoral divisions of Bradfield and Higgins to fill the vacancies caused by the resignations of Dr Nelson and Mr Costello. The dates in connection with the by-elections will be fixed as follows: close of rolls—Monday, 9 November 2009; close of nominations—Thursday, 12 November 2009; declaration of nominations—Friday, 13 November 2009; polling day—Saturday, 5 December 2009; return of writs—on or before Monday, 8 February 2010.

BUSINESS

Suspension of Standing and Sessional Orders

Mr GARRETT (Kingsford Smith—Minister for the Environment, Heritage and the Arts) (3.51 pm)—I ask leave of the House to move a motion to enable notice No. 10, private members’ business, to be called on immediately.

Leave granted.

Mr GARRETT—I move:

That so much of the standing and sessional orders be suspended as would prevent notice No. 10, private Members’ business, being called on immediately.

Question agreed to.

ENVIRONMENT PROTECTION Disallowance Motion

Mr HUNT (Flinders) (3.51 pm)—I move:

That the inclusion of ecological communities in the list of threatened ecological communities (Lowland Native Grasslands of Tasmania), made on 18 June 2009 under section 181 of the Environment Protection and Biodiversity Conservation Act 1999, be disallowed.

In a sense it should not be the opposition moving this motion. This motion was summed up in its intent, purpose and reasoning in a press release of 26 June 2009 by the federal member for Lyons, Mr Dick Adams, a member of the ALP, with the heading, ‘Adams angry with federal environment minister on locking up of grasslands’. This disallowance motion is all about seeking to ensure that that which the member for Lyons wanted will be carried out.

In essence what this motion is about is that in June the federal Minister for the Environment, Heritage and the Arts sought to list the lowland native grasslands of Tasmania as critically endangered under the EPBC Act of 1999. The problem is that the listing of the grasslands would have the effect of restrict-
ing activities carried out by farmers and other landholders where they would still be allowed access to grazing. Farmers and the Tasmanian government, a state Labor government, are concerned that there was no or inadequate consultation on the decision. This is what the member for Lyons said in the press release:

I have been working on this for over three years and I am angry that those consultations have not been considered …

He said further:

There has been no consideration of the fact that because of the drought, many of the farmers’ plans have been put on hold.

On 26 June 2009 the member for Lyons, in making the coalition’s case for this disallowance, went on to say:

Now they have some chance of renewing their farms and given the opportunity to put in irrigation, and this has effectively stopped them from developing innovations.

That is what he said of the decision to list the native grasslands. The press release continued:

Mr Adams said that although the national environment law only applies if there is a substantial change in land use that is likely to have a significant impact on the listed ecological communities, it will mean they cannot radically change their land use or intensify their activities.

In particular he refers to irrigation. Again to quote the member for Lyons in making the coalition’s case:

It is not good enough to prevent farmers from using their land in an economic way and not compensating them.

The member for Lyons went on:

If the Federal Government wants to preserve certain species, then they need to have the farmers work with them and that can only be done by recognising their conservation values within proper structures.

The member for Lyons very tellingly said:

The farmers have gone through enough lately with the drought and all the traumas that was associated with that. Now this new threat looming is not reasonable and I will fight it.

This moment in this place is where the member for Lyons and the members for Braddon, Bass, Denison and Franklin can determine whether they are Canberra’s representatives in Tasmania or whether they represent their own communities in Canberra. The member for Lyons could not have been clearer in setting out reasons, with which we agree precisely, why this motion should be disallowed. He was clear, he was strong and he stood up for the farmers of Tasmania. This moment here in this chamber is when a representative determines whether he or she is a representative under the meaning of the term or whether they are simply a party lackey. So, when this division is called, I hope that the member for Lyons will remember his words: ‘…this new threat looming is not reasonable and I will fight it.’ He simply has to do what he said he would do for the people of Tasmania, and cross the floor.

The listing should be disallowed for a very simple reason. As the member for Lyons set out clearly and eloquently and with seeming courage, it will have an impact on farmers’ capacity, it is not necessary, it is not required and there are alternative ways to carry out the protection of native lowland grasslands in Tasmania. We will see right now whether the member for Lyons stands by his statement of 26 June, whether he will vote with us, whether he will cross the floor or whether he has been tamed. The same applies to the members for Braddon, Bass, Denison and Franklin. Will they stand up for Tasmania or are they simply being stood upon in a broader move by the Labor Party of Australia?

This motion should be disallowed and the members should stand up for Tasmania. I would challenge the member for Braddon.
Does he agree with the words of the member for Lyons: ‘… this new threat looming is not reasonable and I will fight it’? The coalition urges that this motion be supported, that the disallowance go ahead and that the Tasmanian members stand by the words of the member for Lyons.

The DEPUTY SPEAKER (Hon. AR Bevis)—Is the motion for disallowance seconded?

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

Mr GARRETT (Kingsford Smith—Minister for the Environment, Heritage and the Arts) (3.57 pm)—I must say I did not think I would end up standing in the House of Representatives with the opposition spokesman, the shadow minister for the environment, actually opposing the protection of lowland native grasslands of Tasmania consequent to a decision not to approve this disallowance motion taking place in the Senate. But that is what the member for Flinders is doing here today. He is diligently doing his bit to try and make sure that Australia’s environment is not protected.

I make one specific and particular point about this motion as it has come through. This is all about stunt politics and it is nothing about serious politics. It is all about stunt politics and it is nothing about a real understanding of what the Commonwealth’s responsibility for the environment really is. By the member for Flinders bringing a motion of this kind into the House, what he is actually saying is that he is opposed to the listing of this kind, he is opposed to the independent scientific advice that is provided to the minister for the environment of the day, he is opposed to the fact that we have been through a period of rigorous study and stakeholder consultation, and he is saying that the recommendation of the Threatened Scientific Species Committee, which is an arm’s length body and makes recommendations to the environment minister, is one that he thinks ought to be ignored and overturned. I did not think the day would come when the member for Flinders was actually going to put this forward in the House of Representatives but he has done it.

For the purposes of the record, the lowland native grasslands of Tasmania was publicly nominated for assessment in 2005 and the decision to list the lowland native grasslands as a critically endangered ecological community under the Environment Protection and Biodiversity Conservation Act followed a rigorous, transparent and fair process. That is set out under environmental law, as the member for Flinders ought to well know. The fact is that it is important to emphasise that the decision I took to list the grasslands was informed by unequivocal advice from the Threatened Species Scientific Committee. The committee includes some of Australia’s leading scientists and it had spent two years carrying out a rigorous, scientific assessment of the grasslands. Over this period there was wide expert and public consultation as is required by the act. In particular the outcomes of a Tasmanian government review in 2008 of the grasslands were taken into consideration, as was the latest vegetation mapping data provided by the Tasmanian government.

The fact is that input from experts and the advice received from the Threatened Species Scientific Committee show clearly that the grasslands are critically endangered for a number of reasons: they have undergone severe decline, they have a restricted geographic distribution and they continue to be threatened. I note that the Tasmanian government review also came to this conclusion and highlighted that the loss of remnant grasslands has continued at a considerable rate in recent years.
It is important to emphasise that the listing of the lowland native grasslands of Tasmania will not prevent farmers and other land managers from continuing to use the land for farming as they have always done. Farmers will only need to seek approval when new or intensified practices are likely to significantly impact on the best quality areas of the grasslands. There is an assessment process under the EPBC Act for any new or intensified activities that might have a significant impact upon the listed ecological community. Approval for such actions would be withheld only if the significant impact on the critically endangered grasslands could not be avoided.

As was made clear in the Senate when this matter was raised, the Australian government is aware of concerns about the potential impact of the listing on farmers who may have listed grasslands on their property. We have taken a number of actions to assist these landholders. Firstly, we provided a widely promoted hotline to potentially affected farmers. Farmers may use the free call number, 1800 704 520, to discuss the grasslands with an officer of the Department of Environment, Water, Heritage and the Arts currently stationed as a liaison officer with the National Farmers Federation. The government has ensured departmental officers are available to carry out site visits and to provide information to potentially affected farmers. Secondly, specific workshops will be held in Tasmania regarding the grasslands and the EPBC Act, and they start at the beginning of November.

Thirdly, and importantly, the Australian government is making two information guides available produced to supplement the listing and conservation advice that has been available online since the listing occurred. The first is an EPBC question-and-answer guide specifically for farmers and the second is to help people understand the reasons for the listing and to recognise and manage this ecological community. Finally, the government is willing to undertake, with the cooperation of the Tasmanian government, a strategic assessment of the midlands region, which is the process under which planning is carried out on a regional scale in consultation with local communities and other stakeholders taking into account a broad range of matters including the concerns of regional communities. A strategic assessment of this kind under the EPBC Act would benefit farmers by reducing red tape, clarifying future development opportunities for rural communities where the grasslands are located and at the same time provide better protection for the fragile grassland environment.

This government takes very seriously its responsibility for protecting the environment. The impact of this motion makes it quite clear that the opposition does not take it seriously.

Mr Truss interjecting—

Mr GARRETT—I make the point to the member opposite that it actually has rained in Tasmania. It has rained quite significantly. I make the additional point that the level of consultation that was taken on this particular assessment process was extensive and far-reaching. The processes that I have now outlined in the House should give great confidence not only that the government takes its environmental responsibility seriously but also that the government takes its responsibility for making sure that all stakeholders are properly and relevantly informed during those processes seriously.

Question put:
That the motion (Mr Hunt’s) be agreed to.
The House divided. [4.08 pm]
Monday, 26 October 2009   HOUSE OF REPRESENTATIVES 10887

(The Deputy Speaker—Hon. AR Bevis)

Ayes……….. 53
Noes……….. 72
Majority……… 19

AYES
Ballister, A.J.
Baldwin, R.C.
Bishop, B.K.
Bishop, J.
Briggs, J.E.
Chester, D.
Cobb, J.K.
Coulton, M.
Dutton, P.C.
Haase, B.W.
Hawke, A.
Hunt, G.A.
Jensen, D.
Keenan, M.
Kerry, S.P.
Macfarlane, I.E.
Markus, L.E.
Mirabella, S.
Pearce, C.J.
Ramsey, R.
Ruddock, P.M.
Scott, B.C.
Simkins, L.
Smith, A.D.H.
Southcott, A.J.
Truss, W.E.
Vale, D.S.
Windsor, A.H.C.

Noes……….. 72

Adams, D.G.H.
Bird, S.
Bradbury, D.J.
Burke, A.S.
Champion, N.
Clare, J.D.
Combet, G.
Danby, M.
Dreyfus, M.A.
Ellis, K.
Ferguson, L.D.T.
Garrett, P.
George, J.
Gillard, J.E.
Grierson, S.J.
Hale, D.F.

Hayes, C.P. *
Jackson, S.M.
Kerr, D.J.C.
Livermore, K.F.
Marles, R.D.
McMullan, R.F.
Murphy, J.
Neumann, S.K.
Oakeshott, R.J.M.
Parke, M.
Plibersek, T.
Raguse, B.B.
Ripoli, B.F.
Saffin, J.A.
Sidebottom, S.
Snowdon, W.E.
Symon, M.
Thomson, C.
Trevor, C.
Vamvakinou, M.

PAIRS
Neville, P.C.
Robert, S.R.
Robb, A.
Hockey, J.B.
Hawker, D.P.M.

Question negatived.

SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (INCOME SUPPORT FOR STUDENTS) BILL 2009

Second Reading

Dr STONE (Murray) (4.13 pm)—In con-

uation, let me say that the young people in my electorate of Murray, including those currently deferring their university studies and taking a gap year so that they can qualify for independent Youth Allowance, have worked so hard in trying to get the deputy leader and Minister for Education, Minister Gillard, to understand that the only chance they had of a university education was under the coalition’s rules. They tried and tried to access Minister Gillard. She refused to see them. She eventually said an adviser might drop in and talk to them if they came to Can-
berra, and clearly that just was not good enough. Finally, these students and their parents came to Canberra and Minister Gillard—no doubt sensing the despair and the mounting unrest and anxiety right across Australia—agreed to see them. They presented a very strong argument and they pleaded with the minister to reconsider the moves she had made which would mean the end to their university education dreams. I have to say that the minister did finally relent and allowed the year 2008 gap school leavers, those who had taken that gap year under the old criteria, at least to continue to be eligible for Youth Allowance under the old rules.

You can imagine how cynical it was to change the rules and make them retrospective and to have students part-way through a gap year undertaking the types of hours of work that were designated in our criteria. You can imagine how despairing those students had been. These students went back and were more satisfied than before. But they feel, and continue to feel, equally concerned about their year 12 brothers and sisters now completing their studies. These school leavers of this year have been to Centrelink staff and have asked what they can do to try to gain independent youth allowance so that they also can have professional qualifications which allow them to come back to rural and regional areas and meet the skill shortages that are present now and will be exacerbated in the future. You can imagine their horror when Centrelink staff told them they had basically three options to become eligible for youth allowance. They could defer their studies and earn the $19,000 required but it would mean having to work 30 hours a week—in other words, virtually full time—over the ensuing 18 months in a two-year period. This is virtually impossible for a rural young person, given the economy. Rural and regional Australia has been hit again and again by the Labor federal government and too often by their state counterparts. We now have a huge contraction of employment opportunities in rural and regional Australia, particularly in irrigated agriculture, where this government’s policy seems to be to take away irrigation from the food producers of Australia who used to do the heavy lifting on behalf of all of us. They looked in despair at that work option because they could not find 30 hours of work a week over a two-year period. If you do defer for two years you have also lost that deferral. Most universities and other institutions of higher learning do not allow you to defer for two years. Quite clearly, Minister Gillard had not understood that or her cynicism was such that she did not care.

The third option offered by Centrelink staff—perhaps a little more quietly with a hand up to the mouth—was that students could get married or form a de facto relationship and become pregnant and have a baby. What a sad indictment of this Rudd Labor government that their officials should be driven to pass on those three options, particularly the idea that they could confirm their independent status through at least pretending to or pursuing a de facto or marriage relationship, knowing they would condemn those young people to poverty in the long term if they were forced into an early marriage and early child bearing. This is what they were told to do, given Labor’s new independent Youth Allowance policies. I think that is disgraceful.

The Rudd Labor government does not seem to understand that for a number of years now we have had a declining number of students from rural and regional areas putting their hands up to go to university, given that we are facing in southern Australia the seventh year of drought. Parents who used to be able to put a little aside for their children—$20,000 a year—to study in cities...
away from home have been hit so hard by the climatic conditions that they are less able than ever before to raise those funds. Then, of course, the drought conditions have a multiplier effect on the small business people—the men and women who service those farms. They too have had sharply contracting incomes.

We in the northern Victoria area have been looking very sadly at the statistics of rural and regional students in my area from the North Central Local Learning and Employment Network. It has found that those who previously wanted to go to university are deferring at two-and-a-half times the rate of their metropolitan counterparts. From its own statistics, it knows that the longer you are away from study the more difficult it is to return and the more likely it is that you will never return to take up that offer, especially if you have been deferring for a much longer period than others. So we know that the policy of this government is not going to have a social inclusion outcome, which I presume is one of the agendas of this government, given it is in the minister’s title, but social injustice. This is creating two classes of young people in Australia—those born in cities close to tram tracks and close to universities and TAFE institutions offering a wide range of subjects and then those other young Australians living in rural and regional areas a long way from universities or TAFE institutions with a wide range of courses.

Why should it be that, if you are a rural and regional student, you cannot study the course of your choice, the course for which you have managed to gain the right scores and categories of required subjects? Why is it that rural students have to give up on their dreams, their pursuit of higher education, whilst metropolitan counterparts can live at home, take public transport, move daily to their places of study and move on to have careers of choice? This has not happened before in Australia. Previous governments have understood the differences in the costs facing rural and regional parents compared with those in metropolitan areas. That has been taken into consideration with special support, particularly the independent youth allowance criteria. Unfortunately, that has now come to an end and I am just so concerned, particularly for rural and regional communities which are facing hardship on so many fronts, because this government has turned its back on them in what is for some their greatest hour of need.

Take the dairy industry: while their counterparts in the UK, the EU and the USA, being supported with special supplementary government measures in the face of the global decline, are in credit, most of Australia’s dairy farmers in irrigated agriculture cannot survive another six to eight months with prices at below the cost of production and the high value of the dollar. This government is cynically turning away from the dairy industry and saying: ‘We do not care. Let them get out of the trouble themselves. We will support the automotive and retail sectors. We will even give them a good go in textiles, clothing and footwear. But when it comes to the dairy industry they can go whistle.’

The billions of dollars the dairy industry generates at the farm gate, the 40,000 people it employs and the multiplier impact into communities beyond the immediate employees—all of that apparently does not matter. Dairy farmers are in electorates which do not tend to vote Labor, so it really does not matter. I have to say that now their sons and daughters are paying the price for the uncar ing and uncivil attitudes of this government. Their sons and daughters are now not going to go to universities in metropolitan areas, which are often the only places that offer the courses of their choice. That is grossly unfair.
I call on this government to look very closely at the amendments that are to be put up by the coalition. I beg this government to have a heart, to think about social justice in this country and to think about the skills shortages, already a mark of economies in rural and regional Australia, which will get worse when you do not have graduates who have a rural or regional background. We know exactly what we are staring down the barrel at. I have to say that this government is proceeding in a way which is absolutely sickening to those who thought that Labor represented a fair go for all. The veil has been lifted on so many fronts in recent days. This was supposed to be the government of border protection. It was supposed to be the government of a fair go on so many fronts. In fact, it is turning out to be a government in chaos. It is a government that does not care, a government that is letting strong, protective measures and policies unravel, whether they are to do with border security or rural and regional economies. For generations to come, young Australians are going to be paying the price. I absolutely condemn the federal Labor government for the moves which have taken university out of the reach of so many rural and regional students. I strongly urge the government to look at our amendments and have a heart.

Ms LIVERMORE (Capricornia) (4.24 pm)—I rise to support the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009. The Rudd Labor government is committed to higher education and to the vision of a stronger and fairer nation, and this bill is an integral part of that. This bill proposes wide-ranging amendments to income support arrangements for students. The measures are designed to increase income support for students who need it the most, making higher education more accessible for students from low socio-economic backgrounds. In answer to the previous speaker, that is what I call being fair.

The government came to office promising to reform Australia’s education system. We recognised the central role of education, and particularly higher education, in meeting the challenges this country will face in the 21st century and beyond. We instituted a review of our higher education system, headed by Denise Bradley. In this year’s budget we responded to the problems and opportunities identified by the Bradley review process. This bill is part of that response. The bill will amend the Social Security Act 1991 to implement key recommendations of the Bradley review into Australia’s higher education system. It will do that by significantly liberalising the personal and parental means-testing arrangements that apply to payments for dependent students, apprentices and unemployed young people so that more low- to middle-income families can access Youth Allowance and Abstudy. It will change the criteria upon which a youth allowance recipient is considered to be independent.

The bill provides for new entitlement based scholarships for university students receiving income support payments. That will mean an annual student start-up scholarship and a relocation scholarship for eligible students. It will exempt merit and equity based scholarships from the social security income test, up to a threshold of $6,762 per year. The bill will also amend the Social Security Act 1991 to ensure that the training supplement, which commenced from 1 July 2009, is available to all intended recipients.

The measures in this bill cannot be separated from the challenges that the Bradley higher education review put before us. The first one of those goes to the matter of participation in higher education. Right now, Australia has a lower participation rate than many of our competitor nations. Even more
concerning is the fact that, despite the expansion of the higher education sector, we also have low and falling rates of access to higher education among people from rural and regional areas, those from low socioeconomic backgrounds and those in the Indigenous community. These current participation rates are not going to serve our country well in terms of either our productivity and sustaining our standard of living in a competitive world or achieving the equity this Labor government thinks should be at the heart of our society.

As an example, as noted in the final report:

There has been an increase of up to 60,000 enrolments in the number of students from—those three—under-represented groups participating in higher education over the last decade. These increases are not even across the groups and some groups remain seriously under-represented.

It remains the case that a student from a high socioeconomic background is about three times more likely to attend university than a student from a low socioeconomic background. The current access rate for this latter group is at about 16 per cent and has remained relatively unchanged since 2002. If students from this group were adequately represented in higher education in proportion to their share of the general population, their access rate would be around 25 per cent, so there is a lot of work to be done in that area. Despite the low access rates, the success rate of students from low socioeconomic backgrounds is 97 per cent of the pass rates of their medium and high socioeconomic status peers. High pass and retention rates show that those from low socioeconomic backgrounds do succeed in higher education when they make it through the doors of our universities.

Denise Bradley’s vision for higher education is bold. The government has been equally ambitious in its response to the review. Earlier this year, the Minister for Education outlined the targets that the government wants to see achieved in this area and pledged to work in partnership with universities to meet those targets. The first target the minister set out was for 40 per cent of the 25 to 34 age group to have a bachelor’s degree or higher by the year 2025. We also want to see 20 per cent of students at our universities coming from lower socioeconomic groups in our society by the year 2020. This bill seeks to assist us in meeting those targets. This package of measures will increase the level of assistance payable to students and families and expand eligibility to support families who need it most. This improved support will ensure that students from low-income backgrounds are able to access the support that they need to share in education and training, including higher education.

The implications of the proposed changes on rural and regional students, especially those in my electorate in Central Queensland, are sensitive. Many rural and regional youth have worked or intended to work part time over an 18-month period after leaving school in 2008 in order to qualify for youth allowance or ABSTUDY as independent recipients. This is currently possible under the criteria that are used to establish whether a young person is self-supporting and should therefore have their qualifications for youth allowance assessed independent of their parents’ income.

The Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 includes a measure to remove the part-time work elements of the current independence criteria on the basis that this no longer provides an appropriate measure of self-support and results in poor targeting of student income support payments. However,
those young people who completed secondary studies in 2008 and took a gap year in 2009 to commence university in 2010 and are required to live 90 minutes or more away from home to study will not be affected by the changes.

It was clear after the introduction of these measures that students who had graduated in 2008 felt that they had been unfairly treated. I am pleased to say that the government listened to the concerns of those students and found a way to help the 2008 graduates who opted to work through a gap year in 2009. The bill reflects the changes that were made in response to the concerns of those students.

Many rural and regional young people who may have expected that they could qualify as independent students in the future will in fact automatically qualify as dependent recipients under the more generous parental income test arrangements that will be introduced under this bill. Importantly, they will not have to rely on a working gap year to do so. As dependent students, rural and regional youth who need to move away from home to study at university will also benefit from the new demand driven Relocation Scholarship that forms part of the reform package, together with the annual Student Start-up Scholarship, which will be paid to all student income support recipients for each year of their university study.

It is clear from these measures that the parental income test changes and the new scholarships will particularly benefit students who have to move away from home to study, rural and regional students and students from low socioeconomic backgrounds, and that is why we made the changes. The analysis conducted or relied upon in the Bradley review found that student income support was poorly targeted. It found that 36 per cent of independent students living at home were from families with incomes above $100,000 per year and that many of those students were in fact living at home in metropolitan areas. The same survey estimated that 18 per cent of students in this situation came from families earning an income above $150,000 per year and 10 per cent came from families earning above $200,000 per year, yet those opposite continue to defend that very unfair system.

Under the previous system the parental income test was so low that many students sought to gain access to student income support as independent youth allowance recipients using that working gap-year method. As it turned out—and as we found out in the Bradley review—many of the young people who took that option were not actually financially independent of their parents. The government has decided to tighten the eligibility criteria for independence to ensure that support is available to those students who need it the most. The savings from this decision are able to be reinvested into increasing the parental income threshold, which will benefit over 100,000 young people and provide assistance for the families who need it the most.

Of course, under our scheme there will still be a mechanism for young people to establish their independence from their families if they wish to go down that route. Young people who have had employment of at least 30 hours a week for the past 18 months during any period of two years will still be considered independent, recognising that young people who have established this work pattern are genuinely self-supporting and no longer financially dependent on their parents.

The fact is that more rural and regional youth will qualify for student income support as dependent recipients under the changes to
the age of independence and the liberalisation of the parental income test. Furthermore, many existing rural and regional youth allowance recipients will receive a higher rate of payment due to these changes. I note that the opposition continues to cloud those facts and insists on running a scare campaign and then comes in, in its contribution to the debate, and wonders why rural and regional students are telling their guidance counsellors that they are not taking up higher education options. It is not surprising when the coalition is so determined to run this misrepresentation and this scare campaign.

In order to ease the transition between the old and the new systems, up to 30 June 2010 young people who completed secondary studies in 2008—those who took a gap year in 2009, commenced university prior to 30 June 2010 and are required to live away from home to study—will continue to be able to attain independence under the second and third elements of the workforce participation criteria. I know that the young people in my electorate who contacted me with their concerns about the changes announced on budget night are very pleased to know that their plans are still on track and that they will be going off to commence their studies in 2010 having done what they needed to do under the old system to establish their independence.

Any university student who receives at least a part rate of youth allowance will also have access to a range of other assistance of particular benefit to rural and regional young people and their families. Dependent rural and regional students who have to live away from home to attend university may also be eligible for a Relocation Scholarship of $4,000 in the first year and $1,000 in subsequent years.

This package of reforms to student income support is directly in response to the recommendations and findings of the Bradley Review of Australian Higher Education. The package of reforms aims to increase access to and better target income support for students who need it most through a fairer and more equitable allocation of resources. We could not ignore the Bradley review, which found the old system to be completely inequitable and poorly targeted.

The reforms to student income support recognise the importance of ensuring that financial barriers to participation in education and training by students from low socioeconomic backgrounds, including those from rural and regional backgrounds and those who are Indigenous, are removed. This will play a great part in meeting the government’s targets, as I have already said, of 40 per cent of all 25- to 34-year-olds having a bachelor’s qualification by 2025 and really emphasising the participation of people from lower socioeconomic backgrounds in our higher education institutions.

I will give some examples of what this will mean, assuming these measures are passed by the Senate. A family with two children aged 17 and 19 living at home will receive a part rate of income support up to a total family income of just over $100,900, compared with the previous cut-off of around $60,000. That is a significant jump in income threshold. A family with two children aged 19 and 23 who have had to move to study at university will now be able to receive some support up to a parental income of almost $140,000. This is up from the current parental income cut-out point of around $79,000. In addition, if both students are renting privately and receiving rent assistance, under the reforms they may still get some rent assistance up to a maximum family income of around $168,000. Interestingly, none of those figures highlighting the massive increase in support for students is featuring in the coalition’s very irresponsible scare campaign.
The fact is that these changes will allow around 68,000 more young people to gain access to youth allowance and other student income support payments in 2010. A further 35,000 will receive a higher rate of payment. Those opposite, if they continue to oppose these measures, are standing in the way of those more than 100,000 students receiving what they need in order to pursue their academic careers.

Importantly, in this bill the government will also progressively lower the age of independence from the current 25 years to 22 years, which, again, will enable significantly more students to access income support over time. There will also be an increase to the personal income test threshold—that is, the amount of money that students are able to earn while they are receiving youth allowance—from the current $236 to $400 per fortnight, commencing on 1 July 2012. That measure is about enabling students to earn more from part-time work during their time as a student.

Other important elements of the package of reforms include the introduction of a new annual student start-up scholarship of $2,254 each year for all university students receiving student income support and not already receiving a Commonwealth education costs scholarship. This is to assist with the high up-front costs of textbooks and specialised equipment. On top of that, especially for rural and regional students, there is the introduction of a relocation scholarship of $4,000 in the first year at university and $1,000 in each subsequent year to provide assistance with the costs of relocating for study for dependent university students who have to move away from the family home for study and independent students disadvantaged by personal circumstances. That scholarship is available to those people who are not already receiving a commonwealth accommodation costs scholarship. All students who receive a relocation scholarship will also receive that annual student start-up scholarship. Unlike the previous system, where the numbers of scholarships were limited and, as a result, many eligible students missed out, under the new system scholarships will be administered by Centrelink and all eligible students will be able to receive a scholarship.

Regardless of the scare campaign that the coalition insists on running, to the great detriment of young people, particularly in rural and regional areas—discouraging them yet again from aspiring to higher education—these assistance measures are all about better targeting, making sure that those students who need this kind of financial assistance in order to achieve their educational dreams will be able to get it, with a much more generous parental income test, with the age of independence reduced from 25 to 22, and with higher amounts of assistance. I support these measures because they are fair and they are part of greatly improving the access of students from low socioeconomic backgrounds and rural and regional backgrounds. They are going to be a key part of meeting our goals for equity and productivity into the future.

Ms LEY (Farrer) (4.42 pm)—The member for Capricornia talks about the educational dreams of young Australians, but her government has just trashed the educational dreams of so many rural and regional students. I am bitterly disappointed on behalf of the electorate of Farrer and in fact all rural families who have contacted the Liberal and National parties in such distress after learning of the Deputy Prime Minister’s plans for Youth Allowance from 2010.

I would like to start by reading a letter regarding these changes that comes to me from the Finley High School P&C Association in Finley in western New South Wales. Finley is a small town which is very badly affected
by the drought. If you are a young person looking to study, there is no local rural or regional university. You pretty much have to travel and live away from home in order to study anywhere. What the minister is saying to the students of the Finley High School is: ‘You will have to demonstrate your independence prior to age 22 by working 30 hours a week for a period of 18 months within a two-year period. Unless you can do that you will not qualify for youth allowance, and if your family is not on a low income, you will receive no help from the government.’ It is absolutely impossible for somebody from one of the small towns in western New South Wales to find a job in any of their local areas for 30 hours a week for a period of 18 months within a two-year period. In order to get over the first hurdle to qualify for youth allowance, you have to leave home, because you will not find a job for those hours while you are living at home. Your chances are cruelled before you even begin. To support yourself after leaving home means you cannot put money aside and, by the time you have demonstrated your independence, your dreams of going to university are probably over, because you have moved into a different sphere of life and your circumstances have changed.

I come back to the letter from the P&C Association of Finley High School because I think that they spell out the concerns of my constituents very well. This was a letter to the minister. I am not sure if she has responded.

I write on behalf of the parents and guardians of students within the Finley, Berrigan, Jerilderie and Tocumwal communities in southern NSW to express our concern regarding the recent announced changes to the Youth Allowance.

Students from country areas must live away from home to attend tertiary education. This comes at a significant cost of families and the students. In many, many cases the student has to raise the funds to meet the living away from home costs. These costs include accommodation, living and travel to and from home and to and from sporting or other extra curricular activities.

The independent Youth Allowance has been a critical component of the financial resources to enable country students to complete their tertiary education. It costs a minimum of $350 per week to live while at University. On campus college fees that cover basic living costs for 5 days start at around $250/week.

Historically country students have undertaken part time work after leaving school, worked during semester breaks while at university and during term and during the summer breaks to raise the initial funds to qualify for the Independent Youth Allowance. They then work tirelessly during subsequent university holidays to raise the next year’s living expenses to supplement the Youth Allowance. This is done while their city counterparts study during term and holiday during their tertiary study years.

Country students will now be forced to take two years away from study. The recent drought conditions in much of rural Australia and particularly in the southern Riverina in NSW combined with the economic downturn has severely limited the employment opportunities for these young people. The reality is they will be forced to move away from home to find a job and hence will have to meet all their living away from home expenses while earning thus limiting their capacity to raise the funds needed to live while doing their tertiary training.

The need to take a gap between study and school of two years will not suit many students. Some will never return to study.

This is what careers counsellors are telling us the country over. Once the gap between ending school and starting study stretches out beyond one year, students simply do not return to study. The letter continues:

There is also some doubt as to whether universities will allow students to defer courses for more than one year.

In fact, I understand that at some universities you have to reapply after one year, so for the
very first year that you take off as a gap year it is problematic. The letter continues:

Research in Victoria has shown that only 55% of students who defer for a year take up their University place within four years.

The changes to the Youth Allowance are, in reality meaning that tertiary education will not be available to all those students capable of completing a course. It will be primarily limited to those who can live at home while studying, those with wealthy parents and those who can access employment during a gap year from their family home.

As students need to qualify for the Youth Allowance to be eligible for the Commonwealth learning scholarship, restricting eligibility to the youth allowance has a significant flow on effect for rural students. These scholarships are an important encouragement for students to further their education and are critical for funding accommodation and learning aids such as textbooks.

The proposed changes are undermining the confidence of the region’s community in the Federal Government to govern for all Australians. These changes do nothing to enhance the educational opportunities for rural students.

I do not think I could put it better than the Finley High School P&C have. They are not a political organisation. They are willing to take this government at its word; they are willing to weigh up on merit the policies it puts in place. But they are just absolutely disgusted and beside themselves over this proposal to change Youth Allowance.

The government has spruiked that its reforms are aimed at meeting its objectives of 40 per cent of all 25- to 34-year-olds obtaining a qualification at bachelor level or above by 2025—the Bradley review recommended that this be attained by 2020—and, by 2020, 20 per cent of higher education enrolments at undergraduate level being people from lower socioeconomic status, SES, backgrounds. I am all in support of people from low SES backgrounds having access and equity when it comes to university, but you can see that in the government’s statement nothing was said about rural and regional students. If they in fact achieve this aim it will be at the expense of rural and regional students, because they are not included. We only have to look at the evidence so far about what proportions of our university students—graduate and postgraduate—come from rural and regional areas. What we find is that not many of them do.

I now refer to a submission from the Victorian branch of the National Union of Students to the Senate committee review of Australian higher education. They made this very clear:

People from regional and remote parts of Australia remain seriously under-represented in higher education and the participation rates for both have worsened in the last five years.

The submission stated that access and participation rates for these students over the last six years are getting lower every year. The union stated:

Retention of the regional group has also been decreasing relative to urban students and retention rates are now 3 per cent below the rates of the remainder of the student population. The success and retention patterns for remote students are of much greater concern. The indicator levels are very low compared with their non-remote peers. For example, success rates are currently 9 per cent below and retention is 13 per cent below the rates of other students.

They also went on to give to the Senate committee some examples coming, so to speak, directly from students from country areas who are studying. They made the point, and I make the point, that most country kids have to defer for a year because they do not qualify for assistance from Centrelink—their parents earn too much even though they do not earn enough to support their child by paying the costs incurred in going to university. These changes are only going to exacerbate that trend.
Other comments indicate that many students did not take up study at the end of the gap year due to financial considerations. As one student said:

Originally from country Victoria, in order to study and support myself in Melbourne I had to take a gap year to work and save enough money as my parents are unable to financially support me away from home. Also, to receive Centrelink benefits ‘independence’ must be proven and 18 months (from conclusion of school) must elapse. While my motivation to study remained during this time many of my peers (of all academic abilities) found that the attraction of maintaining regular employment and income is greater than the desire to resume studying.

These changes are only going to exacerbate this trend. As I said, people from regional and remote parts of Australia are underrepresented in our universities. We can already see that trend. We are already hearing from the students who are struggling to make the transition from, in this case, homes in rural Victoria and New South Wales to Melbourne and Sydney. What the minister is proposing is just going to make that transition more and more impossible.

If the government wants to do something about correcting the underrepresentation of rural, regional and remote students in our universities and by extension in our professions, and enable them to contribute as we know they can to the life and work of Australia in all of its forms, then it really does need to have a second look at this legislation. Under the current work participation requirements for independence a person must have worked full-time for at least 18 months in the previous two years, or worked part-time at least 15 hours a week for at least two years since leaving school, or have been out of school for at least 18 months and earned at least 75 per cent of the maximum rate of pay under wage level A of the Australian pay and classification scale—that is, $19,532. Currently, we have gap year students who are going through amazing feats in order to earn that sum of money in an 18-month period—it is not easy—to qualify for youth allowance by the time they are halfway through the year in 2010.

We need to understand that the hoops that people are required to jump through in order to qualify for youth allowance now are not easy. This is not something that the government is handing to students, be they rural or city, on a plate. I do recognise that there were problems in the existing Youth Allowance scheme and that there were students with comparatively well-off parents living at home and receiving youth allowance. That is not in the spirit of the scheme and I understand that the Bradley review made some recommendations that this should be corrected. We support that; we are not advocating a return to the system as it currently stands. But in making those changes and addressing the mischief that certainly was being done in a small percentage of instances, why has the government created such a two-tier system? Why has it decided that rural students are simply going to be excluded from the opportunity to attend tertiary institutions before they turn 22, the new age for independence, or if they have not worked for 30 hours a week for an 18-month period in two years?

It does not matter how good the labour market is in Sydney or Melbourne or even in some of our larger regional centres; the labour market in a small rural town will never support even two or three students working 30 hours a week and earning the amount that they would need. They are simply in a position where they have nowhere to turn. They say to me, ‘We won’t go to university because we can’t afford to.’ Students are very conscious of the income levels of their parents. Parents make sacrifices and they are to be commended for that, but a lot of students have said to me, ‘I don’t want Mum and Dad
to make these sacrifices,’ particularly if they are in a drought affected area and if they have experienced many years of lower than average income. They say: ‘I don’t want them to make these sacrifices. I will just put off my tertiary study. It will be fine. I will get to it later in life.’ As we know, that very often does not happen. If you put off the time when you go to university, you also delay your career, your experiences and the contribution that you make. I am not suggesting that everybody needs to go to university when they finish school, but those who are ready to and those who choose to should have the opportunity.

The government is saying that the opposition is running a scare campaign. They have pulled various numbers out of a hat and given us the information that people will not in fact be excluded from youth allowance, that the parental income threshold will be raised to $42,000, that there will still be opportunities to get payments beyond that, et cetera. In the minister’s correspondence to my constituent, she has referred them to Centrelink. People have rung Centrelink only to be told there is no way that anybody is going to give them information over the phone about what they may or may not be entitled to. However, to the extent that they have been able to determine it, they have seen that at $42,000 of combined parental income youth allowance is available to young people, but after that the taper rate is so fast and so sudden that many parents on middle incomes are really going to find that the students in their families are not going to be entitled to very much, if any, youth allowance.

If you simply crunch the numbers in some real life cases, as I encourage the Deputy Prime Minister to do instead of just listening to the prattle that comes out of her department, which talks about having more students than we have had before and talks about it in macro terms instead of individual case studies, then we will find that parents on middle incomes are not going to be able to afford for their children to go to university if it involves moving away from home. If they live close to a university all parents with adult children let them live at home, save money and carry on their normal activities after leaving school. But children from rural and regional areas have got no choice. In order to attend university at all they need to travel.

I do not for a moment mean to criticise our rural and regional universities and I am not doing so, but I particularly mentioned the towns of Finley, Berrigan and Jerilderie—all of my electorate feels very strongly about this, and I am sure the member for Moncrieff’s electorate does too—because there is no local regional university in that area. In Albury and Wodonga we have Charles Sturt University and Latrobe University, and they are fantastic local regional campuses. I have attended both myself and I cannot speak highly enough of them. But they do not have every single course that a young person might want to do upon finishing school. They simply do not. In order to do the course that you choose, you need access to other universities, whether they be in Melbourne, Sydney, Adelaide, Newcastle, Wollongong, the Gold Coast or wherever. That choice should be just as available to rural and regional students as it is to city students. To suggest, as the government is, that we are going to have two classes of students and two classes of graduates in the future is appalling and it needs to be changed.

The minister has felt some heat on this and so has grandfathered the current gap-year students—the students who left school at the end of last year and who are currently working during a gap year. Many of the representations we have had to our offices have concerned those students. I thank the minis-
ter for making those amendments to the legislation. It is good for those students. But it makes no difference at all to those who will be in exactly the same circumstances the following year and every single year after that. So, in what I believe was quite a political response, the minister has quietened down some of those who were rightly making a lot of noise about this because they felt it was enormously unfair—and it was—that those students had embarked on their gap year only to find the goalposts had been moved halfway through.

But remember that what the minister has not done is address the concerns of rural and regional youth into the future. As a rural and regional representative, that is my very great concern, because we are going to find that the statistics I have included in these remarks about the lack of rural graduates from universities are only going to get worse in the future. The financial impact on rural and regional students who want to attend metropolitan universities is such that they will not be able to afford to go. Countless parents have given me the intimate details of their household budgets. They have modest means and live with no extravagances, saving to do the very best for their children. But the cost of supporting a student in Sydney or Melbourne, even though they may do their best to get a part-time job, is absolutely astronomical. Anybody who checks that out will certainly find that is the case.

The ramifications of this piece of legislation have not been thought through in relation to rural and regional families. It completely unfairly discriminates against our rural and regional students. Some sort of means test is fine, we do not want the system to be abused, but, please, Deputy Prime Minister, give our rural and regional kids a chance to enter and excel at the professions which match their passions. Part of that last paragraph is a quote from Juliet Cullen, a farmer and working mother in Tumbarumba, New South Wales. Juliet Cullen put in a submission to the inquiry into the proposed changes to Youth Allowance and wrote very passionately, I have to say, explaining how much she and her family had done in order to give their children the best possible opportunities, only to conclude that it would not be possible to send their son to university in 2011. He wants to study engineering, and there is a national shortage of engineers, so her conclusion was that this seems to be an extremely short-sighted move on the part of the government. I urge the government, in the time that it has left to consider this legislation, to look seriously at the opposition’s amendments and not disadvantage rural students. (Time expired)

Mr BIDGOOD (Dawson) (5.02 pm)—I rise to speak in support of the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009. This bill is about providing fairness in a system that supports thousands of young people in this country through their university education. The package of measures contained in this bill will increase the level of assistance payable to students and families, and expand the eligibility for support to families that need it most. This increased support will ensure that students from low-income backgrounds are able to access the support they need to participate in education and training, including in higher education at university level.

This bill will enable an additional 67,800 young people who do not currently qualify for assistance to access youth allowance or ABSTUDY as dependent recipients under more generous parental income test arrangements. The parental income test changes will also assist a further 34,600 existing recipients, who will receive an increase in their payment, often to the full
payment rate. This is great news. That has got to be good news.

We made a change for the sake of equity. Things could not stay as they were. The government agreed with the Bradley review finding that student income support was poorly targeted. The review found that 36 per cent of independent students living at home were from families with incomes above $100,000. The same survey estimated that 18 per cent of students in this situation came from families earning income above $150,000 and 10 per cent came from families earning above $200,000. The package of reforms in this bill aims to increase access to, and better target, income support for students through a fairer and more equitable allocation of the existing resources. Also, in a step forward for students in postgraduate study, there is an extension of student income support to all masters by coursework programs commencing in 2012.

These reforms align with the government’s education outcome objectives of 40 per cent of all 25- to 34-year-olds attaining a qualification at bachelor level or above by 2025, and 20 per cent of higher education enrolments at undergraduate level being people from low socioeconomic backgrounds by 2020.

These reforms will be funded by tightening the workforce participation criteria for independence under Youth Allowance and ABSTUDY rules. The new criterion will only allow those who have demonstrated their independence by working at least 30 hours per week for at least 18 months during any period over two years to achieve independence. However, many rural and regional young people who might have expected to qualify as independent students in the future will instead automatically qualify as dependent recipients under the more generous parental income test arrangements that will be introduced under this bill. Furthermore, young people who completed secondary studies in 2008, took a gap year in 2009, commence university in 2010 and are required to live 90 minutes or more away from home to study will not be affected by the changes. It is very important to point out that out in this debate. There will be many who will greatly benefit.

The bill also lowers the age of independence, for the purpose of receiving study assistance payments, from 25 years to 24 years in 2010, 23 years in 2011 and 22 years in 2012. In addition to the payments in 2010, it is estimated that around 146,600 student income support recipients will gain an entitlement to the new annual $2,254 Student Start-up Scholarship aimed to help low-income students who find it difficult to meet their study costs. This is a new funding measure for our students.

From 1 January 2010, students receiving youth allowance while undertaking an approved higher education course who need to move away from the family home in order to study will also receive a new Relocation Scholarship, except for those receiving a Commonwealth Accommodation Scholarship. This will be available to dependent students who need to live away from home and certain disadvantaged independent students who cannot live in the parental home. In 2010 the scholarship will be paid in one annual instalment of $1,000, or $4,000 for the student’s initial relocation. This will assist students with the costs of establishing new accommodation in order to attend university.

Also, this bill will increase the personal income-free area for student and apprentice recipients of youth allowance and Austudy from $236 to $400 per fortnight, with effect from 1 July 2012. Students and apprentices will, therefore, be able to earn up to $400 in a fortnight, without having their payments...
increased annually with the CPI. Under the previous system, the parental income test was so low that many students sought to gain access to student income support as independent recipients. This new system is comprehensive, fairer and more equitable and will benefit more young people.

The member for Farrer, the previous speaker, commented on rural universities and metro universities. I am pleased to say that, in the seat of Dawson, students and scholars have access to two fantastic university campuses. One is in Mackay—the Central Queensland University, which is expanding at a rate of knots with special trades-training emphasis, linking schools and a transition into apprenticeships, and then going on to degree level engineering, with a special emphasis on looking after the mining services for the Bowen Basin region. That exciting development is currently being developed and heavily invested in. It bodes well for our region.

Also, Townsville has James Cook University. As a lot of members would know, just recently the boundaries for the seat of Dawson were redrawn. I welcome the suburbs of Annandale, Wulguru, Stuart, Idalia and Oonoonba. James Cook University in Townsville and its campus in Mackay are doing fantastic work. I give credit where credit is due: the previous government did expand the number of junior doctor training places in Townsville in the belief that students who train to be doctors or medical specialists in a rural area will carry on living in that vicinity. I believe that to be true. I look forward to the new Mackay Base Hospital, which will be built by the Queensland government, being assisted by this federal government in helping doctors to be trained there as well. I know that JCU are currently in discussions with the Queensland government to make that a reality.

These are exciting times for the seat of Dawson. These are exciting times for students who aspire, out of school, to trade training with the possibility of then going on to develop degrees in engineering, technology, science and all these things. All these things will be available not just in traditional metro universities down south, as we say in Queensland, but in the great tropical north in the booming areas of Mackay, Bowen, Ayr, Townsville and Cairns. There is great work going on there as well. I know the member for Leichhardt is passionate about the way the university is developing there. It is all very good indeed.

I believe these are exciting times, because new technologies enable new means of learning and even rural remote students, who perhaps cannot leave the family farm, do not have to rely on short-wave radio or something like that. They can now get onto the internet via Austar or satellite and they can access information on the World Wide Web—the global library—and the open learning centres and open university courses, which enable correspondence degrees to be carried out. These are fantastic new developments.

When I did my correspondence degree with the open university we did not have the Internet, unfortunately. I had to fax all of my essays—all 2,000 words every month—for six years, until I achieved my Bachelor of Science with honours in social science. I enjoyed that experience. But I think it is so stimulating, and so radical, the way there is nowhere across this great continent that does not have access to top-quality global information and this government is committed to the broadband network, which is one of the fastest speeds in the world. Not only will that help learning; it will also help business do better business in its transition of information from anywhere on the globe into this country, to any rural area as well as metro-
To the Minister for Education, Mr Ferguson: I rise to commend this bill wholeheartedly. It is indeed exciting times. I would just like to remind the member for Farrer of that, as she made reference to rural people having to go to metro universities. Obviously, it is a great learning experience to have a change of scenery and change of environment and sometimes the high levels of specialisation can only be found in certain parts of the country. But fortunately we have new technologies which enable greater communication and that is why I am so proud that this Rudd Labor government truly does believe in education.

I have just put out the latest copy of the Bidgood News—it is a great publication members should get one. I am proud that this government has invested $103,996,931 into the seat of Dawson on 554 local projects, truly delivering in a way that we have never delivered before, for schools—including primary schools—and also for social housing, for campuses, and for the Mining Technology Innovation Centre for Australia, based in Mackay, servicing the mining industry across Australia. Again, these are more great opportunities for learning and innovation.

I am proud of what we are doing. It is absolutely fantastic. And it is good to know that 70 per cent of the stimulus is in hard core infrastructure. With everything that is going on, we are enabling everyone in our society a fairer, more equal chance to learn—wherever they are—whether it is through new technologies, or new investments in schools, university campuses or innovation centres. We, the Rudd Labor government, are making it happen. I say this is a great bill and I commend it wholeheartedly to the House.

Mr Briggs: It is with great pleasure that I rise to speak this afternoon on the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 and particularly to support the amendments being proposed by the shadow minister for education, the member for Sturt. I follow the written speech delivered by the member for Dawson, who is one of the few Labor members from outside metropolitan areas of our country, and it is a shame he did not address the great inequity of this bill and its attack on regional students that live in his seat. Obviously he will need to go back to the hollow men who draft the speeches over there and, next time, get some of that inserted into the speech.

It is important that we deal with the two major issues in this bill, as many members from our side of the parliament have so far in their contributions to this debate. The two most significant issues we deal with in this bill are the retrospective nature of the changes made—which we oppose and we seek to amend—and the changes to the structure of the youth allowance and the independent arrangements, which we think discriminate very much against those who come from regional and rural areas of Australia. They particularly discriminate against those who come from farming families and regional small business families, benefiting those people who live in inner city Labor seats. That is very much always the modus operandi of the Labor Party—to make changes that benefit the Labor Party constituency against those of us who sit on this side. The Labor party does not have many members in outer metropolitan and regional seats. They have representatives such as the member for Dawson who obviously are unable to articulate the issues well enough for the minister to understand.

The youth allowance was introduced in 1998 by the previous Howard government as a means to replace what were then five or six different allowances. We recognised—through the Bradley review—that there were
some issues about how the youth allowance was being accessed by different groups in the community. The shadow minister for education has articulated very well how we support some of the changes suggested in the Bradley review and proposed in the budget. However, we do not support two aspects of the change. The first one—and probably the most contentious, publicly, thus far—is the retrospective nature of the changes to the youth allowance. That was a particularly nasty aspect of this bill, which would have initially impacted on the 30,000-odd young Australians who were undertaking their gap year this year.

The minister has since made some changes to that provision. She had a press conference a couple of months ago where she had a group of students around. She acted like she was listening to their concerns and made a slight change which benefited some students but not all. So in this bill we seek to make the additional change, to catch up, to ensure there is not a retrospective element to this bill.

The second and more important issue, which is an ongoing issue about how the Youth Allowance will be structured, relates to the number of hours a young person will need to work to qualify for the independent youth allowance compared to the dependent youth allowance, as the government have changed the structure of the wage levels and so forth. This will particularly impact on regional areas such as in some parts of my electorate like Kangaroo Island, which is further from the city and has the water gap so you could not live at home and travel daily to a city university. You would need to up your life and move to Adelaide or, indeed, whichever capital city you wish to attend university. That has the kids at the Kangaroo Island school extraordinarily concerned. I saw them a couple of months ago. We had a meeting with year 12s and a lot of them had been planning on their gap year to raise funds to give them the opportunity to go to Adelaide, attend university and make a start to their career. Many of them hope to return to the island and undertake employment in the area that they had studied.

The students are deeply worried about the changes the Deputy Prime Minister is seeking to make. Those changes very much funnel assistance to those that the Deputy Prime Minister likes in society as against those that she does not like, and that is the obnoxious bit of this bill. I am thankful to the Parliamentary Library as per usual in their Bills Digest for encapsulating what this change will do. It says:

Under the current work participation requirements for independence, a person must have:

- worked full-time (at least 30 hours a week) for at least 18 months in the previous two years, or
- worked part-time (at least 15 hours a week) for at least two years since leaving school, or
- have been out of school for at least 18 months and earned at least 75 per cent of the maximum rate of pay under Wage Level A of the Australian Pay and Classification Scale (that is, $19,532 in 2009) in an 18 month period.

Under the change announced in the budget all but the first criteria, ‘worked full-time (at least 30 hours a week) for at least 18 months in the previous two years’ will apply. It is, of course, extraordinarily difficult in regional areas to find that sort of work in that period to qualify for the allowance. It is going to make things very tough for young Australians in regional areas, particularly those from farming backgrounds and others as well.

I have a constituent, Sarah Hemming who comes from Echunga, which is a beautiful part of my electorate, who has written to me about just how concerned and upset she is about the treatment being dished out by the Deputy
Prime Minister. I forwarded this letter to the Deputy Prime Minister some weeks ago now and I am still eagerly awaiting a reply. I am sure it is on the way to my office as we speak. I will quote some of Sarah’s letter because I think it is very important to understand:

Are you aware that the government recently has decided against increasing the earning threshold for youth allowance students. This is absurd. I work a 6 hour shift a week, which is 12 hours a fortnight at a wage of 19.40 for a Saturday. This amounts to $232.80 per fortnight in my independent earnings and the threshold for income per fortnight for Youth Allowance Students is $230 a fortnight. So for working this I am already over the income threshold and my payment is reduced.

Sarah goes on and explains how difficult it is to live independently on those sorts of amounts. I have great sympathy for what she is saying about the changes being made. She is very clearly saying that the changes being made by this government impact more on regional students and regional people than on those who live in inner city, Labor held seats. What this Deputy Prime Minister will seek to do again on most occasions is to use the politics of envy, the politics of Medicare gold and the politics of the school hit list, focusing on who the government believe will benefit the most in their constituencies against those who live in areas that do not generally vote for the Australian Labor Party.

This bill has elements which we will seek to amend. The Manager of Opposition Business, the shadow spokesman on education, will be seeking several amendments. They are amendments which will make the bill a better bill and will make the system a better system going forward. They are cost neutral amendments to ensure that the Deputy Prime Minister cannot allege that we are trying to spend more money. They make a lot of sense and they will reduce the heartache which exists at the moment in regional communities.

As I said at the start, we are not opposed, per se, to changes to the Youth Allowance that have been suggested by this government, however we are opposed to the changes which particularly impact on regional kids. Again, I think the Bills Digest sums up exactly what the Deputy Prime Minister has sought to do in this legislation. On page 12, under the description of the measures, it says:

However changes to the parental income test and the introduction of new scholarship payments will mean that many more dependent students qualify for a higher rate of assistance than they would have received under the current arrangements. It is a change in the bucket of money. Basically it is a change to how it is accessed at the moment by people in regional areas, who need some additional assistance, to those who largely live in lower-income areas in our major cities. What the Deputy Prime Minister does not understand is that living in regional centres makes university that much more difficult to access. I agree in part with what the member for Dawson said about regional universities. There has been an increased presence in regional universities in the last 20 years. In fact, when I grew up in a regional area 400 kilometres from the nearest major centre, we had the beginnings of some university education through the TAFE and, as it grew, through Latrobe University. However, inevitably for most kids in regional areas to get the skills required to go on and do whatever occupation they want to undertake, either in the city or in their regional communities, requires attendance at a city based university.

The fact is that young people from regional areas who go away and study are more likely to return to their rural and regional areas to undertake the important jobs of trained professionals like doctors, teach-
ers, accountants and so forth. It is therefore important for the very survival and health of regional communities that we make it as easy as possible for those young people to have the opportunity of an education, whether through city based or regional universities. Unfortunately this bill does the exact opposite—it changes the way that youth allowance is paid. We are seeking to amend the bill to make it a much fairer system. This issue has driven quite a deal of community outrage. I have had quite a bit of correspondence through my electorate office and I know other members further out in the state, the member for Barker and the member for Grey, have had quite a deal of correspondence on this issue. It is a policy mistake by the Deputy Prime Minister. We just hope that she is not too stubborn to recognise that she has made a significant error by trying to implement what would be better for the Labor Party than for regional kids and their opportunities going forward.

I do not think the minister understands that the value of many farm are at such levels as to render those students ineligible although the available income is inadequate to support them. There is an old saying that farmers are asset rich but cash poor, particularly in the last few years of significant droughts. I understand that someone coming from Unley High School might not necessarily know what it is like for a kid from Murray Bridge, Mount Barker, Victor Harbor or Kangaroo Island.

It is unfortunate that the Deputy Prime Minister does not understand the very nature of regional Australia and the challenges that we face. My seat is a mixed outer suburb-regional seat. It is a vast seat with large areas. My constituents are not as affected as those of many other members in this place; however, this is a bad policy change. The Deputy Prime Minister will have an opportunity to vote for appropriate changes to the retrospectivity of this bill. It is a disgraceful policy move in any parliament to apply a policy retrospectively. She has done a half backflip. She is halfway round the full backflip. We hope that the full backflip happens soon. She particularly needs to address how youth allowance is paid and how it is structured in order to address the concerns of so many young Australians, particularly those in regional areas. On that note, I conclude.

The DEPUTY SPEAKER (Hon. DS Vale)—I call the member for Lindsay.

Mr LINDSAY (Herbert) (5.33 pm)—I come from Australia’s largest tropical city, of which I am very proud, and where the lifestyle is fantastic. I also represent James Cook University and its many thousands of students. James Cook University is the most significant tropical university in the world today. It certainly leads the world, particularly in research in marine science and collaborations with the Marine and Tropical Sciences Research Facility, the Australian Institute of Marine Science, the Great Barrier Reef Marine Park Authority and so on. A number of very interested students in my electorate are looking at this legislation. Many students have been badly affected by the government’s retrospective legislation, which I think shocked the whole university sector and particularly those on youth allowance when it was announced in the budget.

Last week the Minister for Education was trying to shift the onus of the youth allowance changes onto me and other regional MPs who stood up for Australia’s university students in trying to block these very unreasonable changes that were proposed by the Labor government. The minister’s student
support legislation will make it almost im-
possible for thousands of rural students to
gain youth allowance and to achieve their
dreams in higher education, and that is un-
fair.

Outside the metropolitan cities we are fed
up with being second-class citizens. We are
entitled to a university education, as are stu-
dents in the city. The changes that the minis-
ter is putting forward affect rural and re-
gional students very significantly, and that is
not fair. I reject the minister’s claims that,
under the coalition’s plan to reduce the rate
of the new start-up scholarship, 1,215 fami-
lies in my electorate will be worse off. The
minister’s proposed changes are in blatant
disregard of Australia’s rural and regional
students.

Ms Gillard’s attention to detail on this is-
ssue has been lacklustre at best. The Labor
government does not seem to care that stu-
dents made decisions to defer study for a
year, relying on advice from their schools’
course advisers, Centrelink officials and
other information from the government.
These are sources of information that stu-
dents rely on. It was these sources of infor-
mation that gave these students the under-
standing that they would be able to defer
study for a gap year without being adversely
affected. They were wrong, because the gov-
ernment retrospectively changed the legisla-
tion. Retrospective legislation in any form is
always something that this parliament must
be extraordinarily careful about because of
the unfair aspects that it introduces into peo-
ple’s lives.

Students from rural and regional Australia
do not have the option of living at home
while pursuing their studies. That is self-
evident. Up until now, students have been
able to gain access to youth allowance
through the workforce participation or gap
year route. This is the route that the govern-
ment is seeking to abolish. The coalition will
move amendments to remove the retrospec-
tive aspect of the legislation and we have
already announced a policy to provide schol-
ARships to students from rural and regional
areas who are ineligible for youth allowance
but whose financial circumstances are pre-
venting them from accessing higher educa-
tion.

We, the coalition, strongly urge the gov-
ernment to support these sensible, fair poli-
cies. After all, we are engaged now in some
sensible and fair negotiation in relation to the
issue of climate change, so why can’t we do
it in relation to the issue of higher education?
The Deputy Prime Minister has all but ad-
mitted her short-sightedness on this issue of
retrospectivity by backflipping on her origi-
nal plan and delaying the implementation of
the changes. But now it is crunch time. It is
crunch time for the parliament, and she has
simply tried to shift the blame back to those
who are looking out for the youth of Austra-
lia and helping them realise their ambitions.

Stories have flooded into the coalition’s
website, and I urge the minister and other
interested Australians to have a look at this
web site—it is www.educationforAustralia.com.au. The
Minister for Education should have a read;
she may learn something about what is being
said. I recently met Keegan Sard, who is a
typical student concerned about the changes
to youth allowance. Keegan expressed his
concern, and he confirmed that there is no
doubt that Youth Allowance reform is
needed. Keegan, thanks for expressing that
concern. Thousands of other students have
also expressed this to the coalition, and I
assume to the government.

The Rudd government announced many
of the changes contained in the present bill in
the May budget, based on some of the rec-
ommendations from the Bradley review.
However, the Labor government have been unable to get it right. Under this legislation, thousands of students remain uncertain about their higher education future. Regional and rural students in particular have been disadvantaged, and that is why the coalition is proposing significant amendments to this bill. Before considering these, I would like to note the four main changes that this legislation is actually trying to make to Youth Allowance. Firstly, it proposes to change the criteria of independence for the purposes of eligibility by lowering the age of independence from 25 to 22 and removing part-time work as criteria for establishing it. Secondly, it seeks to increase the parental income threshold for non-independent recipients from $32,800 to $44,165. The personal income-free level for youth allowance recipients will also be increased from $236 to $400 per fortnight. Thirdly, the legislation introduces a new start-up scholarship for all youth allowance or Austudy recipients, and this scholarship will be given to an estimated 146,000 students next year. Finally, the bill would exempt all merit and equity based scholarships from the income test, and that is reasonable.

It is important to make sure that students have the support they need when they are studying. I think everybody would accept that. However, the government’s proposed legislation is just not the answer. Labor’s Youth Allowance changes do not address all of the issues currently facing students, nor will they provide support for all of those students who need it. The coalition therefore proposes several amendments to this legislation to ensure that support is there for all students who need it, and that no-one will be unfairly disadvantaged because of the changes.

The minister’s reform package has resulted in a great deal of controversy and debate. This has centred on the categories of eligibility for youth allowance. When Minister Gillard first announced Labor’s proposed reforms, there were going to be two changes made to the criteria of independence. Firstly, the age of independence would be progressively lowered from 25 to 22 years old by 2012 and, secondly, a more controversial measure was to immediately remove part-time employment as criteria for establishing independence. We all know this. The problem with this ill-thought-out second measure is that it was also to apply from 1 January next year, therefore applying retrospectively to 2009 gap year students. They were just appalled, and their complaints flooded into the government and of course flooded into the opposition—and quite reasonably so. So although the changes would come into effect in 2010, they would apply to students starting their studies that year—that is, students who may have graduated high school in 2008 and worked the required hours in 2009. These students, when they began working this year, had no idea of the government’s intention to do this. They had their study plans placed into jeopardy following the minister’s announcement.

We have now seen a partial backflip from the Rudd government and Julia Gillard on this measure when they finally realised it would leave thousands of students in a very precarious position indeed. Their backflip solution is to allow students currently on a gap year to qualify for the youth allowance under the workforce criteria, provided they live more than 90 minutes from their university via public transport. While this change will mean 5,000 students who took a gap year this year thinking that they would be eligible to again qualify for youth allowance, a further massive 25,000 students will not.

The coalition opposes the retrospective operation of the changes in this legislation. We propose that all students currently on a gap year be eligible for youth allowance...
through the previously existing workforce participation criteria. This will cost an additional $573 million over four years to the figure announced in the May budget. Savings can be found to fund this to ensure the 2009 gap year students are not disadvantaged. For example, Minister Gillard has already announced that $150 million will be saved through the delayed start to changes to the personal income threshold. The coalition will also propose further savings measures.

The current system allows students to be eligible for youth allowance irrespective of their parents’ income if they earn $19,532 in 18 months after finishing school, if they work 15 hours per week for two years after finishing school or if they work full-time for 18 months after finishing school. Under Labor’s changes, only full-time work would remain as a category for proving independence. By removing the option of workforce participation, regional and rural Australian students will find it more difficult to study at university. It is really surprising that the Labor government would put students in that particular situation. These young Australians must make the often difficult decision to move to the city to study. In many situations they may not be able to rely on financial support from their parents, nor be able to qualify for youth allowance under the parental income test. It is certainly a heartless decision by the Labor government to do this to these many thousands of students.

For a young regional Australian, moving to the city to study for several years will cost tens of thousands of dollars. While many farming families may be above the parental income test, they may still be unable to afford the high costs associated with this move, such as accommodation and living expenses, plus all the study costs such as textbooks and equipment. Under the current system, the solution for many of these young Australians has been to take a gap year after school and earn $19,532 in 18 months—thus becoming eligible as an independent recipient of youth allowance. The government’s reasoning behind abolishing this is that it was being exploited by some wealthy families and students who live and study in the city. However, in abolishing it the government has left rural and regional Australian students in a very uncomfortable, very difficult and very uncertain position. Many feel that without the income support of youth allowance they would be unable to move to the city to study, and that is the great unfairness of what the government is proposing in this bill.

The Labor government claim to be interested in promoting higher education for everyone, yet they are actively ignoring the very real concerns of rural and regional Australian students. It is not just coalition members who realise the disadvantage that regional students would suffer under the Rudd government’s changes. The Victorian parliament’s Education and Training Committee, which is chaired by a Labor member and has an effective Labor majority, noted unanimously—that removing part-time workforce participation would have a ‘disastrous effect on young people in rural and regional areas.’ I say, ‘Good on the Victorian parliament’s Education and Training Committee.’ They can see what the federal Minister for Education apparently cannot.

The coalition therefore proposes an amendment to the bill to ensure that these students are still able to move to the city and undertake tertiary education. We will introduce a measure that creates a new rural and regional scholarship program, which will be worth $120 million. This scholarship will provide real financial support to rural and regional Australian students who move to continue their education. Without this measure, and under the government’s plan, the only option for many of these students would
be to work 30 hours per week for 18 months in order to be eligible for youth allowance.

For regional Australian students, making the move to study, often hundreds of kilometres away from family and friends, is a big undertaking. We must make sure that these students do not suffer undue financial stress and are supported in their higher education. James Cook University, in my electorate, has a large proportion of students from regional areas right across the northern part of Queensland, stretching out to the border and Mount Isa, up into the Gulf Country, down through the coalfields and so on. It is a big undertaking for those students to get to university. We must make sure that the students do not suffer undue financial stress and are supported in their higher education.

In some fields of study at James Cook, an overwhelming majority of students come from rural and regional areas. For example, 80 per cent of the students who are studying medicine at James Cook, arguably the best medical school in the country and which has a really fabulous undergraduate degree, come from rural or regional Australia. That is because when the medical school was established one of the criteria was that they would admit students from rural and regional Australia who, when they did their degree in a regional university, would tend to stay in the regional area as doctors. This was a very specific policy decision by the Howard government to offer a medical degree in a regional area so that we would encourage students to become doctors and then stay, serving the people of regional Australia.

What must students like that think about the government when it says, ‘We are going to make it much more difficult for you to go to university.’ That is what this bill is about. Are we really going to put something through the parliament that makes it almost impossible for these students to attend university? We graduate really great doctors from James Cook. With the association of the Townsville Hospital, which is right next door to James Cook’s medical school, we also provide positions for Indigenous students, all of whom graduate. They make magnificent doctors—really terrific doctors—which is very significant indeed. But this legislation is going to make it very difficult for all of those students to go to James Cook from regional areas.

Under the coalition’s rural and regional scholarship program, which is in the amendments to the bill, students from remote areas who wish to come and study in Townsville would be given the financial support to do so. I strongly support that. I want to make sure that these students can get to JCU.

As we reform the system, it is vital that we do not forget the students who most need our support. I have heard many stories from regional students who are very concerned about their ability to move to a city to study. The Rudd government’s changes will leave them without any support and will have many questioning whether they can now afford to study. The government must show that it cares about rural and regional Australian students by supporting the coalition’s amendment. The government’s legislation proposes to introduce new scholarships for students who receive youth allowance or Austudy. The new Student Start-up Scholarship will be introduced in 2010 and, under the government’s proposal, would be worth $2,254 per year.

It is important that the final changes to the youth allowance system be cost neutral. To ensure this, the coalition proposes to set the rate of the Start-up Scholarship at $1,000 per year. This will mean that a greater number of students can receive some form of income
support. The coalition’s amendments are designed to make sure all students are better off. Contrary to the government’s spin, the coalition’s budget neutrality amendments do not leave students with a single dollar less than they currently receive in their youth allowance payments. I urge the government to support our amendments and do the right thing by the students of rural and regional Australia.

Mr SECKER (Barker) (5.53 pm)—It is certainly a pleasure—an almost unkind pleasure—to be speaking on the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009. I can remember going to university. I did my university course as a mature age student at 32 and did not get one bit of help from the government. I struggled. I have always lived in a rural area and did over 100 kilometres of travel every day. Of course, I had to pay for my fuel and my Higher Education Contribution Scheme fees on top of that. I struggled, but I got through it. But, unlike most of my constituents, I did not have the problem of having to pay for accommodation to be able to attend. In fact, I have moved since I went to university. If I tried to go to university now, I would have to move back home, like most of the students in my electorate.

I was very pleased in 1998 when the Howard government first introduced measures to assist rural students to pay rent as part of the Youth Allowance program. It was very warmly welcomed, but it was not enough. I was elected in October 1998, after that legislation was enacted, and in the 11 years that I have had the honour of representing the electorate of Barker I have sought and been able to secure some changes that were more beneficial to rural students. One of the first changes we made, not long after I got elected, was increasing the assets test for farmers—it was virtually doubled, I think, and later we doubled it again. It enabled those cash poor but asset rich farmers in my electorate to get some help for themselves and their student children. When the Hon. Brendan Nelson was the Minister for Education, Science and Training, I and my colleagues were able to convince him that further scholarships were needed to help some of those rural people get accommodation help when they had to leave home to go to university.

Of course, those measures have now been scrapped by the Rudd Labor government and the replacement is, frankly, not going to help very much at all. We are talking about $1,000 a year in accommodation allowance from the second year onwards. If you can find accommodation in a capital city for $1,000 a year, I think you would be well advised to grab it. A $20 a week living allowance does not get you very far when you have to leave home.

I took quite a bit of interest in the contributions from the member for Capricornia and the member for Dawson. They all seemed to be singing from the same hymn sheet as the Minister for Education. I have some advice for them: they should follow what the member for Lyons did during the 2004 election, when he took on his then leader, Mark Latham, and kept his seat. Other members in electorates that support forest industries around Australia did not do that and they lost their seats. This is a huge issue in my electorate and other rural electorates. As a psephologist, I am sure there will be some studies done on this by other people who are interested in voting patterns. If you look at rural and regional electorates like Leichhardt, Capricornia, Flynn, Dawson, Page, Richmond, Corangamite, Bass, Braden, Wakefield, Bendigo and Ballarat—there might be a couple of others—it will be very interesting to see the swings that could occur against Labor at the next election. I have no doubt in the least that that will happen, and I
suspect that coalition held rural electorates will see a swing towards them on average based on this appalling decision by the government. So my advice to those Labor members in rural and regional seats is: do not get sucked in. Do not be sacrificed by this minister’s poor decision.

As I said, I rise to speak on the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009. I have spoken out previously on behalf of rural and regional students concerning this unfair legislation that the government introduced regarding youth allowance, and I will continue to lobby the government on behalf of these students until I am satisfied that they are being treated fairly. I support the amendments foreshadowed by the coalition to the bill to get a fairer deal for those students who would be severely disadvantaged under the bill as it stands. In my 11 proud years of being a member of this parliament I would have to say that this issue is the biggest I have come across, with the greatest response from my constituents. My office has been inundated with correspondence and I suspect—I am quite sure—that rural Labor members would have had the same response. We have been inundated with correspondence from concerned rural and regional students, parents and school councils, who all believe that the proposed changes by the Labor government will be detrimental to the future of the students.

So strong has been the response from my constituents that in August this year I submitted a 2,000-signature petition to this parliament. The anger and frustration expressed by the community over the government changes was massive. In an electorate like mine 2,000 signatures is huge. I have never seen anything like that before in my time in parliament. After the huge public outcry and continuous lobbying by me and my coalition colleagues, Minister Gillard is beginning to back-pedal. She needs to back-pedal a lot more. The government have already done one backflip to try to dig themselves out of a friendless hole on youth allowance and now they must go the rest of the way and fix rural and regional students’ future before they take it away completely.

The coalition proposed amendments offer rural and regional students a better deal and encourage them to strive for higher education and achieve their best. I am proud of rural and regional students. I want to see them with the same opportunities that students from the city have. One of the problems we have in rural areas face is retaining doctors and other professionals. When parents are faced with these sorts of changes they often make the decision to leave their rural area for the sake of their children’s education and move to the city. That is a brain drain from rural areas that we can ill afford. Unfortunately, I think these changes will have an even greater effect as to that happening in the future.

The government was set to treat these students second-best and that would have seen them struggling to find work and missing out on university places. It is fair to say that all students would have been worse off under the government changes. But one particular group that would have been a lot worse off would have been gap year students who were working this year to earn an income before embarking on university in 2010. Currently, students under the age of 25 can assess youth allowance as being independent of their parents by the following three workplace participation routes: if a student earns $19,532 in 18 months after finishing school; if a student has worked part time and this accounts for 15 hours per week for two years after finishing school; and if a student has worked full time and this accounts for 30 hours per week for 18 months in the two-year period after finishing school. The problem with the
two-year criteria is that we can no longer have a ‘gap year’, so we have a ‘gap two years’. Many universities have simply not made the changes necessary to allow that to happen without a reapplication. It is going to be a lot harder for school students to work out how they can fit in a gap of two years from their school days to actually become part of the university system. The logistics are a lot harder than with a single gap year, which we had under the previous administration.

The government’s reforms were set to abolish the first two of these three criteria. However, following Minister Gillard’s backflip, it is about students living further away than 90 minutes by public transport, which is Centrelink’s definition. In my electorate we have not got public transport that goes to a university so how does that come into it? There is no public transport for 99 per cent of my electorate. Where there is it would be the one bus a day. I think, from Murray Bridge down to Adelaide, and the times would probably not fit in very well if you were doing a full university course. So how does this definition fit in? That criterion also says that those who have undertaken a gap year in 2009 will be eligible as long as they commence their higher education in the first half of 2010. This backflip would help approximately 5,000 current gap year students. I welcome that. But about 25,000 or 26,000 current gap year students would miss out in 2010, and from 2011 students would only be able to access youth allowance if they were above the parental income threshold as independents, if they were to reach the age threshold of independence or if they were to work full time for 18 months after finishing school. These gap year students would be far better off under the coalition’s proposed amendment which will grandfather students currently on a gap year by proposing they fall under the old workforce participation route to youth allowance, which they assumed they were when they entered the gap year. Many of these students commenced their gap year on advice from their school counsellors because they were looking at the existing legislation. They also got advice from parents and Centrelink. The coalition’s proposed amendment will let this group continue on the path they were promised.

Many rural and regional students in my electorate will find it harder to attend university with the removal of the workforce participation for youth allowance eligibility as an independent. These students will have to move to the city in pursuit of higher education, therefore incurring additional living costs that students from the city who are attending do not carry. It may not be an option for these students to rely financially on their parents as many rural and regional families are feeling the effects of drought, especially farming families. Some of the rural and regional students that come from farming families may also be deemed ineligible as youth allowance dependants due to the value of their families’ farms exceeding that required as to the level of assets in the test. So they are getting squeezed from every direction.

Their families do not have the thousands of dollars needed to set up their children in the city with suitable accommodation and to help with living expenses. These students would have been able to gain eligibility under the workforce participation route of earning $19,532 within an 18-month period, but the government is seeking to abolish this criterion. One of the problems with the new criterion of 30 hours a week for at least 18 months in a two-year period is that these sorts of employment positions are not available in many parts of my electorate and in rural electorates all around Australia. They are simply not available, so that criterion will be absolutely meaningless. What an employer is going to say is this: ‘We’ll employ
this person for 18 months but we know they are going to leave, so it’s bad luck. We want someone who is going to stay in the area and keep working for us. We want to invest in that person’s future because they have got the loyalty to stay around.’ So that option is going to be taken away from a lot of rural students.

In small pockets of my electorate I have been able to get medical studies up and running, in Renmark and in Mount Gambier. That is only a very small part of the education at universities, but I welcome that. The previous speaker, the member for Herbert, representing the seat of Townsville, has said he has the same sort of thing up there. They have been great and there is a much greater chance that those students when they become doctors will actually come back and work in rural areas, which is what we want. But the criteria that the government is putting up are going to make it almost impossible for parents, except for the very rich, to support their students going to university if they have to shift home. We already have a lower participation rate at university by country students than by city students. That is not because they are dumber; it is because it is so much harder for rural students to go to university because of the extra cost.

The government proposes that the only option for these students is to work full time for 18 months in a two-year period, which means that these students would have to find employment that equates to 30 hours per week in rural communities. As I said, that is not very easy. It is not achievable for many students as on leaving school they have limited skills and are not able to fill all available positions. Many rural and regional areas have only a few avenues of employment for a school leaver to fill, and hours may not be guaranteed for 18 months or may only be seasonal—that is the way of rural life. Most rural and regional communities in my electorate do not have endless amounts of fast-food outlets, shopping centres and the like where school leavers can seek employment and possibly receive traineeships and guaranteed hours. In fact, there are only three towns in my electorate that have fast-food outlets: Murray Bridge, Mount Gambier and Renmark—and there are about 400 kilometres between each of them, so there is a lot a space in between where students do not have that option. It is time that the government treated these students fairly and offered them a level playing field with their city counterparts.

The coalition realise that it is equally as important for rural and regional students to attend university and have the help that they required to get settled away from home. We were doing that. We needed to do more, but we were doing that. In fact, under the Howard government we offered Commonwealth scholarships that assisted students with relocation. Regrettably, the Rudd government abolished this, as they have done with much important funding for rural and regional Australia. The coalition’s proposal is that these students that are not eligible for youth allowance be offered a rural and regional scholarship program worth $120 million to help them relocate to the city and attend university. This is the sort of positive enforcement that rural and regional students deserve to help them get on their way to higher education. We as a coalition are not saying we should pay all the expenses, but we should at least give them some help. The scholarships that we had in place amounted to about $5,500, perhaps $6,000 in today’s terms. That is probably, on average, about half the cost of living away from home for 12 months, but at least it would be a help. Parents and students would know they would be able to get through some of the hard times with that sort of help.
I want to encourage rural and regional students to seek higher education if they want it and I want to see them achieve this without being disadvantaged because they have to leave home. The coalition proposes amendments that will pave a clearer path for these students rather than hinder them, as the Labor government has done. I am proud to represent a rural and regional electorate. I have been passionate about this issue from the start of my term as a member of parliament and I will be there for these students until the government cuts them a fairer deal.

Mr HUNT (Flinders) (6.11 pm)—I wish to address the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009. The opposition has made it very clear that this bill in its current form contains provisions which will strike at the heart of students from rural and regional areas pursuing university and tertiary education. I know from my own electorate I have had complaints in quite a profound way from students and their parents and families. Whether they are from Phillip Island, Bass, San Remo, the Mornington Peninsula—in many different areas there are students that have been disadvantaged. One student, Kieran, about whom a question was asked at this very dispatch box, is from Mount Martha in my electorate, is vision impaired and has been the subject of considerable personal hardship.

The net result out of all of this is that there are 30,000 students who are facing serious consequences. We have put forward clear alternatives that are costed and funded; they are revenue neutral, although with a slight actual gain for the government, but with clear benefits. Our proposition and our principle is simple. It is, firstly, that students from rural and regional areas should be able to qualify for youth allowance. If they cannot, then we will be proposing—as other speakers have outlined—a rural and regional student scholarship program. That is a desirable step forward. It is a practical way forward. It offers equity. It does, as others have said, offer students who will not qualify under Youth Allowance a way forward through a scholarship program which specifically deals with the needs of those who have much greater costs in relocating away from their families in order to pursue their education—an important principle of equity. That is what we propose. That is what we will do. That is what we are pursuing. What we see in this legislation is that there are 30,000 students who will be hurt.

We now hear that the minister will make a partial concession and the number of students who will be seriously disadvantaged has dropped from 30,000 to 25,000. That is still not an acceptable outcome. So we see that a small number of those students who would have been hurt have now been given sanctuary, but 25,000 of 30,000 students who would have been hurt will continue to be hurt: significantly disadvantaged, their education compromised and their family circumstances made more difficult.

The principle of estoppel should apply here—that is, where students have taken a gap year on the advice of their education department, or their teachers or their career advisers, they have done so in good faith. In many cases they have given up their time and deferred their studies for a year knowing that that is the maximum amount of time that is allowed for their courses but that 18 months will be required under this new regime before they can enter. It is a classic catch 22, with no consideration given to those students who will suffer as a consequence.

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Our proposition is very clear: that which has been promised must be honoured. Students who could have qualified for youth
allowance by taking a gap year should be allowed to do so and should not be penalised or disadvantaged. They should be allowed to attend university and should be allowed to qualify, such as in the case of Kieran from Mount Martha, who is I note vision impaired. They should not be penalised or prevented from seeking their university education through this classic catch 22 of: you must defer for 18 months but your university course will allow you to defer for only 12 months. It is a quite flagrant example of poorly crafted policy in action, but with real and profound human consequences.

For those reasons I fully support the position outlined by the shadow minister. I support our proposal for equity in the Youth Allowance and a gap year that would honour the promise given to students who undertook the gap year—not the gap 18 months, as is now demanded, with the consequences for financial, educational and familial circumstances. I very strongly support the proposal for a rural and regional student scholarship program as outlined by Malcolm Turnbull and the coalition shadow education spokesman.

Mr CHESTER (Gippsland) (6.16 pm)—I rise to speak in relation to the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009, which deals directly with the government’s proposed changes to income support for students. I say at the outset what an absolute unmitigated disaster this has been for the Minister for Education. If ever there has been an example in this place of arrogance and contempt for regional Australia, it has been the minister’s performance in relation to these changes. I do not use those words lightly. It is almost impossible to put into words the anger, disappointment, uncertainty and frustration that this minister’s actions have caused among families in my electorate.

I like to think I am a reasonably charitable man and when the minister first announced that she was pulling the rug out from students who were currently on their gap year I gave her the benefit of the doubt. I thought it must have been an unintended consequence, because regional students had followed the process as it existed at the end of their VCE year last year. The students did the right thing. As the member for Flinders just commented, they acted in good faith. They decided to take the gap year under the rules that existed because they had been advised by their principals, their teachers and even by Centrelink officers.

These students had made the decision to work hard and try to achieve the Youth Allowance criteria under the circumstances that existed when they left school and most of them were doing it with the intention of trying to help their parents out. These were not rich kids from incredibly wealthy families, from my experience. These were the students from rural and regional areas who were basically saying that they knew their mums and dads could not afford the cost of sending them to university so they were prepared to help out. Now, the minister in May this year was prepared to pull the rug out from under their feet. This, I thought, was no way for the Minister for Education to act, let alone the Minister for Social Inclusion—to risk disenfranchising a whole generation of young Australians with a decision that applied retrospectively. It was certainly an enormous disappointment for the students who have contacted my office in the past six months.

My confidence that it was an unintended consequence was certainly shattered in this place on 25 May when I asked the minister to guarantee that students currently in their gap year would not be financially penalised under the government’s changes to eligibility criteria for independent youth allowance. At
the height of her arrogance on this issue the minister replied:

With the greatest respect to the member, what a very silly question …

But during her second reading speech on 10 September, the minister had changed her tune and announced what she described as a transition measure.

After meeting with a broad range of students and interest groups, the minister claimed that she would delay the implementation of the new workforce criteria to allow gap year students who completed school in 2008, and who needed to move to study, until 30 June 2010 to qualify for independent status. What had been described as a ‘very silly question’ in May was in September, in the minister’s own words, a ‘sensible change’. It was a backflip but, frankly, the students in my electorate are hoping for a triple somersault in the future. I am not going to dwell too long on the politics of this decision but I am prepared to venture that the minister took action in this regard only when she realised that she had a political problem. In Gippsland alone, more than 5,000 people have signed a petition protesting against the changes and dozens of people sent me letters and emails to explain the impact of the decision. I will get to some of those messages soon. It has amazed me to hear the minister, in this place and in the media, accuse the opposition of scaremongering on this issue. And the backbenchers have been at it again over the past week as they debated this bill. ‘There is nothing wrong,’ they say. ‘We just do not understand the changes. It has all been a massive scare campaign on our behalf.’ Everything is perfect if you listen to the Rudd robots who walk in here and roll out to mechanically parrot the party lines. I urge those regional Labor MPs to start fulfilling their side of the contract with the regional communities and, as their representative, give them a voice in the House of Representatives.

If my office has been knocked over in the rush of students, mums, dads and teacher and principals raising their concerns about student income support, then you can bet that Labor MPs in regional seats are experiencing something very similar. But do they come in here and raise those concerns on behalf of their constituents? No way. Not even a whisper of discontent. They either hide in their offices and watch the debate on closed circuit television or they come in here and parrot the party lines. The media likes to pretend that there is something creditable about having party discipline in this regard. There is nothing creditable in regional communities if you have not got the guts to stand up for your constituents.

This debate is long overdue. It may surprise some of those opposite, but I am not one of those who is going to deny recent political history. I believe the previous government made some progress in relation to levelling the playing field for students from regional areas seeking to pursue a university career, but it never went far enough for my liking. I fully accept that reform is never easy; it is always a difficult process and there is always going to be more to do. The previous government was faced with a very different set of budgetary circumstances and it was a difficult process to be paying back debt and then looking at what other changes they could make on behalf of regional students. But, as I said, when addressing an area of equity and disadvantage, like this one, I would have liked to have seen the previous government go further. I take up the comments from the member for Braddon and the member for Barker, who have both spoken on this bill. They both spoke about their passion for regional students. I think we all agree across the chambers that we need to do more for regional communities and regional
people, particularly students. I urge those
members to speak up in other forums. If they
are not prepared to speak in the chamber at
least speak up in their party room in relation
to the future of regional students.

In my maiden speech I talked about the
need to reduce the cost barrier for students
from rural and regional areas attending uni-
versities. I argued then, and I have many
times since that speech, that the economic
barriers to participating in higher education
are a fundamental obstacle that must be ad-
dressed. Those of us with an understanding
of the issue know that regional students are
often forced away from home to study and
the additional accommodation costs and liv-
ing expenses are an underlying factor in the
decision to defer or abandon studies.

I read today in the \textit{Bairnsdale Advertiser},
in my own electorate, of a new report that
has been released. Under the headline \textit{Re-
gional students struggle to cope financially}
the article says:

A new study has found rural and regional stu-
dents are more likely to defer attending university
and face more financial constraints than their city
counterparts.

... ... ...

Gippsland East LLEN Executive Officer, Jac-
qui Bramwell, said the report proved that for most
rural and regional students deferring university
for a year was a necessity, not recreational.

Jacqui went on further to say:

It is a tragic loss if young people have to base
their decision about attending university on
whether their family can afford it. Sadly, that
remains the case for too many rural and regional
students.

The estimates vary, but the additional costs
for regional students to attend university are
in the vicinity of $12,000 to $15,000 per year
if they are forced to move away from home.
These are the additional costs, the costs that
a city student staying at home with mum and
dad does not have to pay. These are the costs
that we believe we should be trying to alleviate
to help level the playing field for regional
students.

The disparity between metropolitan par-
ticipation rates in university and the partici-
pation rates of regional students has been the
subject of much debate in recent years. I
spoke in the House last September and high-
lighted the issue of retention rates and par-
ticipation in higher education as it applied to
the communities of Gippsland. At that time I
indicated the Gippsland region has one of the
worst education retention rates in Victoria.
Compared to a state and metropolitan reten-
tion rate in excess of 80 per cent in 2006, just
65 per cent of Gippsland students finished
year 12. These figures naturally lead to a
lower university participation rate. Many of
our regional areas, including Gippsland, have
comparatively low average household in-
comes, and it is a major barrier to participa-
tion in higher education. Lower household
incomes also affect ENTER scores, parents’
capacity to support students to live away
from home for study and the aspiration
within families to seek higher education.

On that issue of aspiration, I assume that I
am like many other MPs in that I visit
schools in my electorate almost on a daily
basis. It is an absolute passion of mine to get
out there and meet the students and discuss
the issues that concern them. My message to
senior secondary students in my electorate is
to always aim high and to aspire to be the
absolute best they can be in their chosen
field. I tell them that it does not matter if no-
one else in your family has ever finished
school—you can be the first one to finish
Year 12; you can be the first one in your
street to go on to university. For members in
metropolitan electorates this may sound very
basic and, frankly, absurd. But we do have a
challenge in many of our regional communi-
ties to overcome the barriers of economics
and the barriers of aspiration to encourage our young people to see a future for themselves beyond what they have perhaps seen with previous generations in their families. Many people in my electorate argue that increasing the aspirations of students and their families is almost as big a challenge as overcoming the economic barriers. I have a submission here from a former Gippsland school principal, Ian Whitehead, who says:

In families from low socio economic areas, the very thought of a tertiary future for their child is off the radar. Many of these families see universities as ‘here is a world with which we are not familiar; a club to which we cannot belong’. But in these families there are some clever kids. They are missing out badly.

It is undoubtedly true that, in some sections of my community, education has not always been highly valued. I believe it is important to encourage young people to achieve their best and follow the path to a university course if that is their ambition. We know that many of our young people will need to move away to advance their careers and learn new skills, but we also hope that some will return in the future and provide those skills in our communities.

As I have said before, from a social justice perspective it is a question of equity; and for the hard-nosed economists in this place it is also a question of productivity. Helping children from rural and regional areas to achieve their full potential will help to improve the skill base of country areas and reduce the skill shortages we are constantly faced with across a range of industries.

It is also worth noting, from a Gippsland perspective, that many of the children from the more remote parts of the state are Indigenous children. To give these young children the best possible start in life we must support them through the early stages of education. And we must take up the challenge to get them to school in the first place and get them learning the skills that they can then pass on and succeed in our community and their own communities.

All this helps to explain the anger and frustration in my community when the minister announced that she was not just moving the goalposts for students in their gap year; she was taking the goalposts away completely. This decision demonstrated a complete disconnect between the minister’s office and the department and the families in my electorate. Over the years students had come to depend on the opportunity to achieve independent status to secure youth allowance when they moved away from home to university. I freely acknowledge that the original intent of independent youth allowance was not as a means for regional students to secure income support after a gap year. In fact, I argued in this place, and in a letter to the minister in March this year, that the system needed to be overhauled. I argued that forcing students to undertake a gap year to achieve independent youth allowance because the other criteria for income support were too restricted was a poor system and reform was needed. And I have also acknowledged that many of the measures the minister has sought to introduce will allow more students to secure a small level of support without the need to undertake a gap year. I am on the public record acknowledging the need to stop the misuse of public funds and broaden the opportunity for students to receive support to attend university. So I reject the posturing and the lecturing from those opposite about not understanding this legislation and its intent. I fully understand what the minister was trying to do—I just happen to believe that she botched it. She botched it because she did not listen, did not understand or simply did not care about the way it would affect regional students.

There is nothing revolutionary about these changes. This is no ‘education revolution’ as
the minister and her spin doctors proudly proclaim. I am not the only one to feel this way. As Professor Geoffrey Blainey said in the Australian on 17 September:

The phrase education revolution should be quietly buried. It is unrealistic. It is still more a slogan than a blueprint.

Right now the government is shovelling $16 billion out the door to build school halls in primary schools, regardless of whether they need them or not. There is nothing revolutionary about that either. The Primary Schools for the 21st Century program does not have a single educational target attached to it. It is not aimed at improving literacy or at improving numeracy; it is a spending spree of massive proportions which does not even have the decency to require the building contractors to employ local people to carry out the work. It does not even allow individual schools to decide for themselves what they need to build on their school grounds to maximise the educational outcomes for their students. I fear we will look back on this program in 10 years time and marvel at the stupidity of rushing out to build so many halls that did not meet our educational needs.

I raise that program in the context of today's debate for good reason. The question is always going to be asked: who is going to pay for the additional support in terms of income assistance for students? The minister's changes to the system of student income support are designed to be budget neutral—that is, she is taking from one area of the system to bolster another area. There is no new spending attached to these initiatives; there is nothing revolutionary about this. If we were serious about addressing the issues of regional disadvantage in the higher education system we would be looking beyond the current budget cycle and looking to the future of our nation. If we were serious about an education revolution we would not be throwing all of that money at the school halls program; we would have a balanced package that delivered strategic upgrades to schools which need the funding the most and we would be using some of that money to revolutionise the system of student income support. That is the debate that we should be having in this place here today. We should have every Labor regional MP, every Liberal regional MP and every Independent MP in this place, with the Nationals, arguing the case for more funding for student income support.

Before those opposite start parroting the party lines once again, I invite them to read the Victorian state parliamentary inquiry report into geographical differences in the rate in which Victorian students participate in higher education. This was a report by an all-party committee, led by Labor MP Geoff Howard from Ballarat. The report took evidence around the state. This is what Mr Howard had to say in his foreword to the report:

Time and again, the Committee heard about the difficulties faced by young school leavers in rural and regional areas who are contemplating leaving home to study.

He went on to say:

Student income support is therefore a major contributing factor in university participation. While the Committee welcomes recent national reforms to enable more students from low-income families to access Youth Allowance, it is concerned that the specific circumstances of rural and regional young people still have not been adequately addressed. Already, many such students defer their studies to meet eligibility criteria for income support and this route to financial independence is set to become even more difficult under the new system. In the Committee's view, all young people who must relocate to undertake their studies should be eligible to receive student income support.

That last line is worth repeating: all young people who must relocate to undertake their studies should be eligible to receive student
income support. The report goes on to argue that the proposed changes to achieving the independent rate of youth allowance would have a ‘disastrous effect’ on young people in rural and regional areas. I believe that is the debate we should be having here today: how can we change the system to ensure that all students who are required to move away from home to pursue their studies receive a level of income support? It is the view that is held by many individuals and organisations who have contacted me in the wake of the public debate that has occurred following the announcement of the minister’s proposed changes.

The Gippsland Local Government Network has argued that, because the average taxable income of a person living in Gippsland is $15,000 lower than a person living in Melbourne, it is not uncommon for a university student to find themselves juggling multiple jobs while attempting to study full time. I have long argued that we are setting these kids up to fail. We expect them to finish VCE, secure a good mark, go through the stress of getting their drivers licence, start going out to licensed premises legally and act responsibly, and then we expect them to move several hours to Melbourne, Sydney, Brisbane, or wherever it may be, with very little money in their pocket. They pick up some part-time work, because their families cannot support them fully. We expect them to adjust to life in the city after years in the country, we expect them to travel several hours to come home and see us every now and then and then we expect them to excel at their chosen course. Is it any wonder that many of these young people drop out after six months and feel like they have failed? It does not have to be this hard. It should not be that difficult for a rich and prosperous nation like Australia to give our country kids a fairer go.

Just in case those opposite think I am making this up, let me reflect on some of the submissions to the Victorian parliamentary inquiry and some of the correspondence I have received from students in relation to the general issue of student income support and the more specific details of the changes proposed by the government. Orbost Secondary College in East Gippsland submitted:

The cost of living away from home to undertake tertiary study is without doubt the single greatest impediment to participation in our experience and for many families an overwhelming burden that can inflict great financial hardship.

Orbost Secondary College argue that returning to the days of affordable dormitory accommodation for regional students living in the city would reduce the cost burden and provide more support for students who are often isolated and lonely after making the move. They also support a policy initiative that I am driving within my party to provide free public transport vouchers for country students to return home more often to catch up with family and friends.

Some of the personal reflections I have received from family members and students affected by these changes have been quite alarming. This is from one young lady in Boydsdale:

My fellow students and I have worked extremely hard, both academically and in employment, and I am deeply saddened by the fact that, due to the proposed revision of the allowance, much of that effort may be in vain.

Alyse said:

If changes must be made to current youth allowance eligibility, why not make it easier for those that need it most? Regional students who have to move away from their family and friends and re-establish themselves in a completely different environment surely should be entitled to assistance. If the government is striving to have more regional students attending and obtaining university qualifications, why make it harder to achieve?

CHAMBER
Finally, Jessica said:
I don’t think Mr Rudd fully understands the damage that he has caused for thousands of gap year students like me. He has definitely tainted our future at university with doubt, financial burden and anxiety. We are at the most vulnerable stage of our lives. Surely our Prime Minister understands that by doing this some of us have nowhere to turn, that some of us are cancelling our dreams, cancelling our future. This is not justice. This is unlawful, criminal and heartless.

These are strong words from our next generation—young people being directly affected by this appalling decision, and in particular the retrospective nature of the changes proposed to the gap year.

The minister fails to understand that the students set out on these pathways several years ago. This is not some whim. They have been advised since year 10 on how to pursue their careers in the secondary education system, right through to having a gap year before going to university. They have been guided by their principals and careers advisers and are pursuing their dreams. Providing a transitional arrangement for 5,000 of the estimated 30,000 gap year students does not solve the problem. I believe that all students in regional areas who must live away from home to attend university should receive financial support as a means of levelling the playing field with their city counterparts. That is my starting point in this entire debate. We need to address the fundamental differences which exist in the levels of opportunity to participate in our university system. Income and asset testing for any additional support for students from lower socioeconomic backgrounds could then be applied on top of the basic tertiary access allowance.

There is a clear economic opportunity which flows from the position that I am putting to the House. The current requirement for parents in regional areas to find $12,000 to $15,000 in after-tax income to support their students is a drain on the wealth of regional towns. As a regional development initiative, providing a tertiary access allowance to meet the accommodation costs of all regional students forced to move away from home would be a shot in the arm to regional Australia. The government likes to talk about economic stimulus. Instead of the sugar hit of $900 cheques, such a system of student support would provide sustainable economic growth for regional centres. It would also help to overcome the current skills shortage. Common sense tells us that professional people are more likely to move to regional areas if they know that university access has been improved for their children and if they know that it will not cost them an arm and a leg to send their children off to university in the future.

In the time that I have left, I want to refer briefly to the new workforce criteria and what a masterpiece of complete stupidity they have been. Quite apart from the difficult economic times we face, did anyone in the department who drafted these changes actually take a look at the workforce participation rates for country students? It is simply impossible for our country students to achieve the 30 hours per work prescribed by the new legislation. We can do better with student income support. I urge the minister to go back to the drawing board— (Time expired)

Mr RAMSEY (Grey) (6.36 pm)—I rise to address the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009. This bill, which purports to provide better and more equitable support for tertiary students, misses the mark by a wide margin. Instead, it makes things much worse for the core part of my constituency: students from the country and the families who support them and work to give them the opportunity to fulfil their dreams. I would be one of the first to admit that the current system of
supporting disadvantaged students through university has deficiencies and in some cases the spirit of the arrangements is tested.

There are many forms of disadvantage when it comes to obtaining higher levels of education. For some, it is as simple as coming from a low-income household. For others, it may be a physical disability, a learning difficulty, an unsafe home environment or the fact that they are a parent with all the responsibilities that come with that role. For all of these and a host of others there is some form of government assistance to meet those challenges. However, there is another form of disadvantage that governments have been less willing to accept responsibility for. Those who live in the country who have to leave the parental home to attend university have an inbuilt financial disadvantage. Where other students can live at home cheaply with the support of family, country students and their families face years of extra costs amounting to tens of thousands of dollars per student.

I have had a long interest in this area, undoubtedly fired by the fact that my wife and I have managed to guide three children through the last three years of high school and university while living 500 kilometres away from both the schools and the tertiary institutions. We are far from alone in this. For thousands who live in the rural areas of Australia, local schooling options often mean that sending their children away to complete their final years of secondary schooling is all but unavoidable. For some, it is about attaining the highest possible score to gain entry to popular and desirable courses. For others, it is about achieving a standard.

It is one thing to get into university; it is another to be properly prepared for the task and equipped with the correct subject background to be able to successfully do the work. I will use a personal story to illustrate this issue. My daughter, who is now a chemical engineer, would have been required to complete every one of her chosen subjects in year 12 at our local school through Open Access education—effectively correspondence. Not even one subject could be delivered in a face-to-face situation. My wife and I decided that this was a totally unrealistic task for her and she would not be able to reach the required standard in this situation. We bit the bullet and enrolled her in a private boarding school in Adelaide. There is nothing easy about sending a 15-year-old away from your home, probably never to live with you again. But it did achieve the desired result, and I thank the school in this case for assisting us with the financial challenges.

Limited subject access in small communities is symptomatic of the small populations. As much as we may wish to offer a full range of subjects in every school, it is simply not feasible. To ask a student requiring a high entrance to rack up the points entirely by correspondence is not just a difficult option, it is almost impossible. So parents scrape together every resource they can to put their children on an equal footing with those who live near bigger schools with more resources and a wider choice of subjects. The extra costs involved are neither fair nor in many cases affordable. However, today is not the time to fully explore the injustice and inequity of education at senior secondary level. But it is important as a basis for understanding the effect the government’s proposed changes to youth allowance will have. We need to understand the disadvantage that many of the affected students operate under.

So just how difficult is it to support your son or daughter through university if they have to leave home in order to do so? My interest in this area predates my election to parliament by a long way because, as my family is serviced by a small regional R to 12 school and lives 500 kilometres from Ade-
laide, my experience mirrors that of so many others who are outraged with the government's plans. As I said, I would be one of the first to say that the current arrangements that support regional students to attend tertiary education are far from perfect. I would welcome positive reforms. However, I view the government's moves in totality as a worsening of the situation for country students.

In an effort to raise the profile of the plight of country families in respect of this issue in early April this year, I launched a discussion paper which clearly identifies barriers and some solutions to this shameful situation. I received a significant response to that paper and as a result I have been asked to address a number of national education groups who are vitally interested and grateful that I have helped raise the profile of this problem. Little did I know that the government was planning major changes in the budget and that those changes would actually make things much worse for a significant portion of my constituency. The paper, which I launched at an isolated children's parents meeting at Woomera, clearly identified the financial and emotional difficulties faced by students who need to relocate. As I said, it is no easy thing emotionally to send your child away from home at the age of 15 or even 17 when you know that they are unlikely to ever live full time at home again. But it is a sacrifice that thousands of country based families make every year.

My paper clearly identified the costs involved with relocation. Boarding college fees, telephone rental, application fees and bonds total more than $13,000 per annum. This does not include travel to and from the capital city, laundry and toiletries et cetera, which would normally be utilised at home if living there. A realistic estimation of these costs is around $2,500 a year. Many students will elect to rent in shared accommodation, which can present difficult challenges if the student has not lived away from home before, with students often feeling isolated and lonely as they learn to cope with cooking and cleaning chores and living with strangers, while probably juggling work commitments—all at a time when they are trying to study in a new environment. This option is unlikely to be any cheaper than the boarding college option. Shared rent, electricity, water, food, insurance, internet and phone connections total around $12,500. So it is about the same as the boarding college options. In total, it comes to somewhere between $15,000 and $16,000 a year.

On top of all this, it just may be unavoidable that the student will need access to a car to attend outlying campuses, or late lectures, to get to late-night employment and—if suitable transport links do not exist—to get home every now and then. Once again, this is something that students who live at home can access easily when they need to. All of these costs are over and above the norm; they are all extras that families who have the luxury of having their kids live at home do not have to face. Imagine having three or more children wanting to go to university at a cost of around $16,000 per year for four years. For three students, a quick calculation tells us that the extra family commitment over the period is likely to be close to $200,000—all as a penalty for living, say, more than 75 kilometres from a university.

It is worth our while to clearly understand the current arrangements. Youth allowance is currently awarded to those between 16 and 25 where the combined parental household income is below $32,000 with a decay rate of a dollar for every $4 earned. The allowance is also subject to an assets test of approximately $535,000. There is a rigorous family actual means test for the self-employed and businesses. Alternatively, students may be deemed independent of their parents if they meet a number of different criteria, some of
which include: being a refugee; it being unreasonable for them to live at home; being a member of a couple; having a dependent child; or being an orphan. Applicants will also be deemed independent of their parents if they have worked part time—15 hours a week—for at least two years after leaving school, or have worked full time—30 hours a week—for 18 months in the last two years, or have earned $19,532 in an 18-month period after they have left school, which equates to 75 per cent of the maximum pay rate under wage level A of the Australian Pay and Classification Scale. The last clause has been the means that thousands of country students have utilised to access a basic income to be able to meet some of the costs that I referred to earlier—that $16,000 discrepancy between metro and country students.

To assume that a household earning $32,000 can afford $16,000 a year to support a student is ridiculous. Clearly this situation should have been fixed by previous governments, including the last. I welcome the government’s move in this area but would make the point that the new level of $44,000 a year hardly indicates a wealthy household when it comes to supporting a student away from home at those levels. However, in all this time there has been another route to some assistance—the independence test by means of earnings. This policy has led to a boom in what has become known as the gap year when students leave school and immediately start working at whatever job they can get. They have a full 18 months to earn the minimum amount of $19,532. By good management, setting clear goals, and hard work they have been able to meet the income requirements to start university in early March after their gap year and become eligible for youth allowance in about May, around about two months later.

Many will argue for the life value of a gap year and claim it as a positive experience for the student. For some, it undoubtedly is. But for many others it can lead to a drop in focus, relationships can form, financial commitments may be made, and there is a certain percentage who never get back to what they intended to do. One thing we can be sure of is that if it were not for the financial imperative most would not choose that route to income support. If their families were capable of finding the $16,000 per year plus, they would not put their education on hold for 12 months. They would not delay their graduation by 12 months. They would not delay their entry into the professional workforce by 12 months.

The government has proposed a raft of changes which the minister claims will be better for students. Unfortunately, we have winners and losers and on a per capita basis there are far more losers in my constituency than most. The government proposes to lift the parental income test to $44,000, change the taper rates so support stops at $76,000, lower the age of independence to 22, raise the personal income test, and—among other changes—a start-up scholarship will be available each year for people on youth allowance.

In themselves, these are fair reforms but there are a couple of nasties in the package. The independence by means of income clauses have been radically toughened. Also, the government’s original proposal had the effect of being retrospective for those currently on a gap year. On this particular condition, the opposition led a public revolt which has seen the minister back down and offer to protect some of these students. But the minister has not been entirely upfront on this issue and it seems that unless you live more than an hour-and-a-half from your university you will miss out on this consideration.
There has been a principle held in Australia that when someone makes a decision based on current government policy they should not be materially disadvantaged by future government decisions. Young people all around Australia made well-reasoned decisions about their future last year based on advice from school counsellors, Centrelink and career advisers. They have put their lives on hold for 12 months as a result of that advice. It is not acceptable that we should now change the rules on this group and abandon them.

The opposition is proposing to amend this legislation and guarantee that group may still access youth allowance on the same basis as they had planned. The legislation also proposes that to be deemed independent from their parents students will now have to work a minimum of 30 hours a week for 18 months of a two-year period after they leave school; a minimum of 30 hours a week—20 is not enough, and 29½ is not enough. They must work a minimum of 30 hours a week. The real question here is whether the two-year gap period is anything like a viable route to a university education. In my mind, absolutely not. This change in the legislation effectively will kill off the gap year or the gap two years. It is designed to do just that.

In fact, the government and the minister are not being honest here at all. They do not want anyone to qualify for youth allowance by proving their independence from their parents but they do not want to say so publicly. They instead make that path totally unattractive and unviable.

For all the reasons that a gap year stretches the commitment and challenges for students, this policy just makes things far worse. Can we really expect people intent on a professional career to put their lives on hold for two years? In what is likely to become a rare event, if a student with no options feels they must pursue this route to income support there will also be the practical difficulty of obtaining sufficient work in regional Australia.

Jobs in regional Australia do not grow on trees. Most of our communities have higher unemployment levels than the state and national averages. Many who have historically cobbled together their $19,000 have done so by working in a number of part time and seasonal jobs. Seasonal jobs, by their very nature, often entail long hours and enable workers to accumulate significant funds. Under these provisions, though, a 50- or 60-hour week will only count as one week of 30-hour employment. Conversely, if the seasonal work amounts to less than 30 hours it does not count for a work week at all. So it is clear that the government does not want anyone to qualify under these provisions. It is its intention to shut down the independence test for youth allowance.

As I said earlier, I concede the current arrangements are far from perfect. I highlight that by pointing out that a significant number of students have been able to use the independence test to qualify for youth allowance and still remain living at home. Simply put, this means city-based students living in easy range of their university are able to stay at home with all the financial and emotional advantages this offers and still qualify for youth allowance.

While no-one is suggesting this is anything but legal, to my way of thinking it is outside the spirit of the original arrangements. As I have already said, it is something which earlier governments, and now this one as well, have had the opportunity to fix. So if the government were willing, at the same time as eliminating the financially independent criteria for Youth Allowance, to address the true, underlying disadvantage of country students, I would then be of a mind to support them. What is needed here is genuine
and separate assistance for students who have to leave home in order to attend university. If there are no practical and suitable campuses within a reasonable travel distance of where a student lives, they should be eligible to apply for this assistance. The rent allowance should meet a significant proportion of the extra expenses the student faces by reason of their disadvantage—that is, the need to leave home.

That is why the opposition is seeking to amend this legislation to allow for the establishment of a rural and regional scholarship program worth $120 million. Because the nation’s finances are in such a parlous state as a result of the government’s irresponsible borrowing program, which will see every living Australian owing around $9,000 by the end of next year, we are proposing that this be a cost-neutral move, funded by reducing the government’s proposed $2,254 start-up scholarships available to youth allowance recipients to $1,000 a year. While obviously many on youth allowance would have appreciated the extra cash, its establishment has effectively seen the transfer of resources from country students, by means of the reduced funding for Youth Allowance, to a thinner slice for all, where the intake is dominated by metropolitan students. That is effectively a transfer from country to city. I am sure all students and families of a reasonable nature would recognise the equality of opportunity issue that must be addressed here.

We search in vain for a level playing field in any number of areas. They certainly can be difficult things to find. When it comes to access to tertiary education for country students, we are kicking not only uphill but into the wind as well. Some of the difficulties are: the level of secondary education needed to prepare for university; the necessity to leave home to participate; the significant and discouraging costs associated with relocation; being isolated from your traditional support base, family and friends; learning to live with strangers at a young age; coping with running a household; and juggling work and study.

Across rural and regional Australia we are constantly dealing with shortages of professionally qualified people to fill positions in our towns, to provide intellectual horsepower to our communities and to staff and drive the industries we must develop to reinvigorate our regional base. I can tell you Australia needs its regional base more than ever. By and large, the regions are the generators of wealth and the suppliers of export income. We who live in the country know what country living has to offer. Convincing others to live there is not so easy. But we do know that if a doctor, a surveyor, a teacher, a lawyer or an engineer comes from the country they are more likely to return there. So the way to address our ongoing skills shortage is to encourage more country sourced students into tertiary institutions. We know that, currently, country based students are only about 60 per cent as likely to graduate from university as city based students. If we are to address these professional deficits, as we should, we must strive to make things better, to make attending university a more attractive option for country kids.

The government claim they want to fix up inequities. In the case of this legislation, they are, unfortunately, making things worse for the demographic which stands to make the biggest impact on these shortages. Those who are, through no decision of their own, bedevilled by Australia’s natural curse—that is, the tyranny of distance—who, due to the choices made by their parents, live distant from our centres of learning, will as a result of this legislation, if passed in its entirety, be worse off. I have only been a member of parliament for two years, but I can tell you without doubt that this issue has attracted
more active comment to my office than any other in that time. Hundreds of parents and students, past, present and prospective, have contacted me, outraged at the government’s deal and often asking, ‘They won’t really do this, will they?’ I will close with a statement from the discussion document which I developed earlier this year:

If there exists a significant population in one location, governments deem it the responsibility of the tax payer to provide services on site. If a smaller population exists in isolation, governments see it as the individual’s responsibility to find ways to access those same services not the tax payers.

It is a challenging proposition.

Mr BROADBENT (McMillan) (6.56 pm)—What excellent contributions from the member for Grey and, previously, the member for Gippsland. I am pleased that you are in the chair, Deputy Speaker Schultz, because nobody in this House would understand the issues better than you, being the member for Hume.

I would like to explain to the public listening to this broadcast exactly what is going on here and highlight how many members of parliament are very concerned about the issues. If there is one thing that joins us together, whether we are from an outer metropolitian, regional, rural or remote area, whether we are an Independent or whether we come from the National Party, the Liberal Party or the Labor Party, it is the future of our children, the next generation. I was reminded of this the other day by the member for Moore, Mal Washer. He said that when he goes to a public meeting he asks people: ‘Do you think you’re better off than your parents? If so, raise your hand.’ Nearly 100 per cent of the people raise their hands to say that they are better off than their parents. Then he says, ‘Do you think in the future your children will be better off than you?’ Hardly anybody raises a hand. He goes and speaks to them afterwards and asks them why. The opportunity for education is one of the issues that comes up, especially in his area, which is partly rural, like mine.

This has been an issue I have been passionate about over many years. Perhaps I will have time to go into that a bit later, I will not take up much of the House’s time, but there are a couple of points I would like to make. We have a list in front of us of all those who are going to speak on a bill. I have here the list of people who have taken an interest in this particular bill, the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009, and want to speak on it. It is very interesting. On the Labor side we have the member for Braddon, Mr Sidebottom; the member for Dawson, Mr Bidgood; the member for Lindsay, Mr Bradbury; and the member for Capricornia, Ms Livermore.

On the opposition side of the House we have the member for Forrest, Ms Marino; the member for Indi; Mrs Mirabella; the member for O’Connor, Mr Tuckey; the member for Murray, Dr Stone; the member for Farrer, Ms Ley; the member for Mayo, Mr Briggs; the member for Herbert, Mr Lindsay; the member for Barker, Mr Secker; me; the member for Grey, MrRamsey—whom you have just heard; the member for Gippsland, Mr Chester, who spoke previously; and the member for Pearce, Mrs Moylan. The member for Cowper, Mr Hartsuyker, is about to give his address. The member for Calare, Mr Cobb; the member for Riverina, Mrs Hull; the member for Flinders, Mr Hunt; the member for Lyne, Mr Oakeshott; the member for New England, Mr Windsor; and the member for Maranoa, Mr Scott, are also on the list. Those who took an interest in the issue outside the machinations of this debate are my old friend the member for Mallee, Mr Forrest, and an interesting one: the member for Mackellar, Mrs Bishop. She is absolutely
in there, boots and all, on behalf of rural students or students from an electorate like hers who have to relocate for their education. Other members with an interest in this include the member for Kalgoorlie, Mr Haase; the member for Hume, Mr Schultz; the member for Parkes, Mr Coulton; the member for Moore, Dr Washer; and the member for McEwen, Ms Bailey. I should include the member for Paterson, who was absolutely forthright in his approach during our party discussions on this issue.

That is more than 20 per cent of the parliament who took up this issue immediately on the government announcing its changes. I am not one who is going to attack the government on this issue, because I believe the Deputy Prime Minister had the best interests of the students of Australia in mind when she suggested these changes. I believe that she wanted to stop the rorts, spread the benefits of these allowances over a greater number of people, give greater opportunities to tertiary students in the sector, bring the youth allowance support up to date and help more families. I think she was actually trying to do the right thing. But what happened? It was not her proposals but their implementation. Quite often in government the great difficulty is not the plan you have but the difficulties you fall into because you do not recognise the effect the implementation of the plan is going to have on families.

I heard the member for Grey speak very honestly about the school that his daughter went to that helped the family out with finances so they were able to pay for her education. I think of my own dad, who sent four of his kids away to school in the city at the one time, away from our country town. I do not know how he did it. He was always at his best when his back was to the wall financially. It is an amazing investment, a desired investment, by families across Australia—an investment in their children and an investment in the future. That is why so many members of parliament have been so forthright and passionate about this issue.

The debate is about the reforms to student income support. Students in their final years of secondary schooling have been in limbo for more than a year—since early May 2008. The changes that the government proposes particularly affect rural, regional and remote students and even those from outer urban areas who have to transfer, for instance, from one side of Melbourne to Geelong so that they have to go and live there, as in my case. Up until now, access to the youth allowance has been gained through working a gap year. This opportunity was to be removed retrospectively. These families had no chance to plan for the changes. That is what we offer them: no chance to plan for these changes. In one case I remember a woman had had three children go through the process—a planned exercise—and the last child was to miss out because of the government’s changes. Can you imagine how devastating these changes were for the family—and I will come to the teachers and career advisers in a few minutes—because they had advised the children on the appropriate course they needed to take to get a university education? The rug was pulled out from under them.

Thousands of young people have done the right thing—planned, shown initiative and worked hard—only to find those plans in disarray. I have had a few issues, as you know, Mr Deputy Speaker, but never have I had an issue that has come with such great anxiety, such stress and such a response from students, their peers, their mothers and fathers and their grandparents because the whole of the family wishes the best for their next generation. My phone, like that of all the members whom I listed before, ran hot. We had people in the office in tears of distress about their situation because it was their kids who were involved. As I said, educators
and career advisers who had advised their students to defer felt that they had completely let the student body of that year down. Their advice and their professionalism were called into question, and a palpable depression came across many of those teachers in those schools because they thought they had advised their students inappropriately. Professionals who had worked in education all their lives were aghast at the effect this would have on students in their final years. One parent wrote:

These kids have done the right thing and planned their future. They want to study to better themselves and are now left in limbo. My daughter is 18. She finished year 12 last year. She was accepted into university to study law but deferred. She deferred so that she could work this year to be eligible for independent youth allowance. My daughter will now no longer be eligible. I am quite frantic about this. If we could have afforded to send her to university we would have done it this year. The course she wants to study is not available where we live so she needs to go away to study.

That was a parent who thought they were informed and went through a lot of information to be sure that the next year their child could go. They thought they were informed. They thought they had done the right thing by their child. We have good intentions from government to do the right thing and then this situation comes and affects all of those thousands of families. I whispered across the chamber in a loud voice to the Prime Minister, ‘Prime Minister, you are going to have to make some changes,’ because it is not just the 20,000 to 30,000 young people out there that this affects; it affects their brothers and sisters, it affects their mums and dads and uncles and aunts, it affects all the plans that they had from the future and it affects their grandparents. There were a lot of people who were pretty upset by this whole issue. One thing we have offered the government they might like to consider is the provision of scholarships to students from rural and regional areas who are eligible for youth allowance but whose financial circumstances are preventing them from accessing higher education.

I said before that this issue has been on my plate for a long time. A fellow named Mick Murphy is the head of LLEN Trafalgar in our area. He is probably the strongest Labor voter I know. In fact, if he tried to vote for me, I think the piece of paper and pencil would ignite in his hand. If there is one thing he has been absolutely determined about for years, it is the provision of education and opportunities for young people. He has been absolutely dedicated to that cause. Knowing that, I asked him for help on this issue. But he was already out there, full bore, presenting to the government what could be some better options—things that they could do. He was desperate to break the chain of inequity that encumbers rural and regional students. He was desperate to give them a boost up. You heard the figures from the member for Gippsland, Darren Chester, on the numbers of young people that attend tertiary education. There are such differences in the figures. There is a view when you live in the city—probably your parents have attended university—that you will go on to tertiary study. Those expectations are embodied in the family. And you only have to get on a tram or a train to get there. It is not an issue of relocation; it is not an issue of funds. There is greater opportunity for those that live in the cities to access all sorts of services. We know that. Mick Murphy was desperate to break that chain.

There are things that we could do. You know, Mr Deputy Speaker Shultz, within the previous government, that this issue came up time and time and time again, and we did make some changes, because we know our rural students. I want to pay tribute to Mick Murphy. He has never given up. He has been
raising this issue for years and when these
differences came he had to voice his opinion. At
the public meetings that we had that Mick
Murphy was at we recognized that the gov-
ernment was trying to do the right thing but
that this was a mistake. He was generous in
that he knew that I acknowledged that the
Deputy Prime Minister, as the Minister for
Education, was trying to do the right thing
and, I am sure, had no idea of the effect it
would have on rural and regional families. I
think I have made my point. I give all credit
to Mick for the support and help he has given
us in this process. He has given it to the par-
liament. I cannot say he gave it to me, be-
cause he would be in too much trouble.

We know our students cannot live at
home; they have extra travel needs and their
expenses in set-up and accommodation are
enormous. I went through it myself when my
daughter went off to university. It is a lot of
money. There is also the emotional effect. It
was interesting when the member for Grey
told his story. He was sending a 15-year-old
away—it must have been breaking his fam-
ily’s hearts. We were sending an 18-year-old
away. The wrenching from my wife of her
daughter was difficult at that time. It is hard
effort to cope with the change of lifestyle
as it is. Most rural and regional students do
not move to the city until the last minute be-
cause of the expense and then they find that
the jobs that might have been available for
them to get have gone.

It has been made very clear by the presen-
tations today that there are real difficulties in
rural areas meeting the criteria that the gov-
ernment has now set down. I personally be-
lieve the government is going to have to
make further changes. If they are going to
give real opportunities for rural students to
access university in the same way they are
giving them to urban students, they are going
to have to make further changes and give this
further consideration. The whole parliament
might like to give this some consideration—
the whole parliament might like to think
about this. I just want to make this point and
I have made it on rural and regional issues
before. I tell you what: if this country walks
away from its regions and its rural communi-
ties and all the concentration is on the east-
ern seaboard and on the capital cities, you
are cutting off your arms to the future, be-
cause regional communities and agriculture
will be a very, very important part of this
nation’s future. I do not have to talk about
food security to you, Mr Deputy Speaker
Shultz—I do not have to talk about how im-
portant our exports are.

These are the people who, after leaving
their regional community and completing
their tertiary education—whether they be-
come doctors, lawyers, agronomist or what-
ever else—will come back and work in our
regions. That is why they are important to
this nation. That is why they need to get an
extra helping hand. That is why we as a gov-
ernment and a parliament need to recognise
how important it is to give regional people
support. Every day in the paper you read
about it. I think even Canberra is trying to
find a way to get more GPs here, because
they are treating themselves as a regional
community, saying, ‘We need to supply more
doctors into this place.’ How do we feel at
Foster and Leongatha in my electorate or in
outer Melbourne when we are trying to at-
tract doctors? The people who will come to
you are people born in regional communities.
We need to propagate them—if I can put it
that way—and plant them in tertiary educa-
tion, so that they will come back and be of
greater benefit to this nation and greater
benefit to those regional communities. They
know those regional communities and will
want to come back and be part of them—to
grow their lives and that of the next genera-
tion in that regional community.
I have never liked retrospective legislation. This is all about equity of access, and particularly equity of access to tertiary education. Equity of access is something that rural and regional students do not enjoy. Another complication is that under the government’s plan you just about have to defer for two years. The experience of young people is that once they have deferred for two years they have probably got themselves into a decent job. I had a situation where a young fellow had been accepted at a very high level by a university. He deferred for a year, got a job as a plumber and loved it, and it is going to be his career. I had a situation where a young fellow had been accepted at a very high level by a university. He deferred for a year, got a job as a plumber and loved it, and it is going to be his career. I had a situation where a young fellow had been accepted at a very high level by a university. He deferred for a year, got a job as a plumber and loved it, and it is going to be his career. I had a situation where a young fellow had been accepted at a very high level by a university. He deferred for a year, got a job as a plumber and loved it, and it is going to be his career.

I have made my point. I have not really got to the speech that was designed for me to deliver today, but I do want the Australian people to know that more than half of this parliament is concerned about rural issues and the needs of rural communities. At the heart of that are the love, care and future of their children. As long as the Liberal and National parties are standing here we are going to promote that cause. As long as we have Liberals who come from country areas and are passionate about our communities, our constituents will know that they have a voice that will not be quieted and will not be held back. Thank you, Mr Deputy Speaker, for the consideration you have given me in this address.

Mrs MOYLAN (Pearce) (7.17 pm)—I congratulate the member for McMillan for an excellent speech on a subject that is indeed dear to the hearts of those who represent rural and regional constituencies. As a former regional student, I am very grateful to have the opportunity to talk on the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 and to do so on behalf of the many students within the rural and regional parts of the electorate of Pearce who will be quite disastrously impacted by the proposed changes to the Youth Allowance system contained in this bill. As the member for McMillan has just outlined, there are many commendable aspects to this legislation and I think its intent was genuine. The bill’s supporters throw around words like equity and fairness, which make it seem hard to argue against, but for students in rural and remote areas the legislation would have to come into question. They would argue that people using terms such as equity and fairness would see their aspirations end at the farm gate.

I do not think that any of us doubt that we should be ensuring that legislation in this place is fair and equitable and that the integrity of these kinds of measures is not compromised by people using taxpayers’ money unfairly or unnecessarily. While I am not against improvements to the Youth Allowance scheme, and indeed I welcome those improvements, I do so only to the extent that they do not crush the aspirations of thousands of young rural Australians hoping to attend university. In the second reading speech, the Minister for Education said: Higher education is central to achieving this government’s vision of a stronger and fairer nation. Perhaps the minister’s vision for Australia simply fails to recognise that there is an Australia outside the metropolitan areas. It is an Australia that is desperately seeking skilled professionals and an Australia where young
people are most in need of encouragement to attend higher education.

I suppose I feel strongly about this bill because as a young student in a country town, Narrogin, I did not have the opportunity to go to university, despite desperately wanting to do so. It was not until I was a mature person that I actually had that opportunity. I cannot begin to tell you how enormously grateful I was to have that opportunity. I feel very strongly about this. I think everyone should have the opportunity to educate themselves to the very best of their ability and to maximise their opportunities and talents. I think that as a country we should be doing everything to support that ambition. As I said, I grew up in rural Australia, in the country town of Narrogin, which is southeast of Perth. It was not an option for me, and indeed many of my classmates, to attend university in the city. The financial costs associated with moving to Perth and living independently were insurmountable. Since then, improvements have been made to the accessibility of university, but I fear—and I think that fear is shared by many rural students, their parents and their grandparents—that the changes proposed in this legislation will take away that option of higher education once again.

It was not so many years ago that a number of people in the electorate of Pearce who were concerned about the low participation rates of students conducted a survey within the Avon region. There were some people from Muresk Agricultural College involved in that survey. What that survey demonstrated was a low participation rate of rural students in higher education, whether it be university or TAFE. To that effect, I noticed that the minister said in her second reading speech:

Participation of regional students at university fell to 18.08 per cent by 2007 against a percentage of the population of 25.4 per cent, the remote participation rate fell to 1.12 per cent against a percentage of the population of 2.5 per cent and low-SES participation languished at around 15 per cent against a percentage of the population of 25 per cent.

The reforms outlined in this bill will help to arrest these trends by increasing access to, and better targeting, income support for students who need it the most, through a fairer and more equitable allocation of existing resources.

I see this as curious logic. I do not think that it is going to achieve its intended aim—that is, increase the participation rate. I think the good measures incorporated in this bill—the increase in the availability and value of scholarships—are great, but I think we are still going to cut out a vast number of students who would wish to go on to higher education and who will be denied that opportunity. So I am not quite sure about what I see as the skewed logic of that statement. Those figures showing the dropping participation rates of rural and remote students were brought home to me during that community survey that took place a few years ago and concerned many of us representing various constituencies at that time.

The first and most critical change proposed in this legislation is to amend the criteria by which students are considered independent for the purposes of eligibility for youth allowance. This legislation will bring down the age of independence from 25 to 22. This will increase the number of students who are automatically considered independent. At the same time, the existing workforce participation criteria have been significantly altered, which will effectively make a great many students, especially from regional Australia, ineligible for the payments. It is a kind of smoke and mirrors or pea and thimble trick, where you give on one side and then you take away on the other.

Previously a student who had earned $19,532 in 18 months after leaving high
school could qualify for youth allowance as an independent. Alternatively, they could work 15 hours a week for 2 years or 30 hours a week for 18 months within 2 years of leaving school. At least this provided a great deal of flexibility for students, many of whom elected to take a gap year so that they could get some assistance while they undertook full-time study. As a consequence of this legislation, only the latter option—that is, that students must undertake full-time work for 18 months within 2 years of finishing school—will be available. This change came about because there was evidence that students from high-income families were claiming youth allowance after taking a gap year to earn enough to qualify. The idea is that by taking away from these ‘rich students’ we can give more to the ‘poor students’. On paper this is a noble aim, but when the government tries its hand at the Robin Hood act it always seems as though middle Australia are the ones who are inadvertently the worst affected. We only need to look at the ludicrously emotive discourse behind the so-called fairer private health insurance package of legislation to see this effect in action. In this case it is the rural and regional students and all those students who have no choice but to leave their family home to attend university that are the real losers.

For a great many rural students, taking a gap year to earn the required amount was their only way of qualifying for youth allowance and they have relied on the payments to meet the costs associated with relocating closer to their university. The Victorian parliament’s Labor dominated review into these measures concluded that ‘the removal of the main workforce participation route will have a disastrous effect on young people in rural and regional areas,’ and unanimously denounced them. We cannot forget that, when a student must relocate to the city to go to university, they face an enormous financial burden that other students simply do not. One only needs to read the submissions made by numerous rural students and parents to the Senate Standing Committee on Rural and Regional Affairs inquiry into this bill to get an impression of the immense stress that these costs cause. These measures affect rural students more so than others because in small regional towns there are limited job opportunities for unskilled workers fresh out of high school to work for 30 hours of work per week. Many rural students have traditionally relied on seasonal work to meet the eligibility requirements.

The government may defend all of this by claiming that their scholarship and relocation grants are of assistance, but this misses the point. It demonstrates the inability of the government to listen to and engage with rural and regional Australia. The problem is not with the payments that students get once they qualify for youth allowance, although no doubt the increases in this area will most certainly be welcomed by those who are eligible. The problem is that the new eligibility requirements adversely affect a whole group of students who need and deserve assistance, so they not only miss out on the allowance but also miss out on all the additional payments too.

It would clearly be unreasonable for the government to expect students to work 30 hours a week while they are undertaking full-time university study. So they must think that it is fully reasonable that students take off two years from university so that they can meet the requirement. Are they not aware that many universities and courses do not allow students to defer for two years? In some instances they will be forced to apply as mature age students because their school marks will no longer be relevant. Are they not aware that far fewer students actually take up their places at university after taking two years off instead of a single gap year?
Perhaps if they took the time to listen to rural Australia they would know that jobs are not easy to come by, especially for young, unskilled workers, and that most rely on seasonal work, which rarely offers 30 hours per week and never offers 18 months worth of employment.

The government has also tried to justify these measures, by claiming that many more students will not need to prove their independence because they have raised the parental income test. These students will automatically be classed as a dependent and will be eligible for youth allowance in this way. This measure will be welcomed by those who it will benefit, but once again it is the rural students who will not be assisted.

Rural students often will not qualify because the value of the family farm or rural small business is above the threshold test for assets. What the government fails to recognise is that even where a farming family owns a property worth more than $2.286 million, which is the current cut-off, they may not have made a profit for a number of years and may indeed be cash poor. This is particularly so in areas that have undergone sustained years of drought. These properties are not readily saleable, and regional Australians with large assets may still be under enormous financial pressures. The Isolated Children’s Parents Association noted in their submission to the Senate inquiry:

A large proportion of our isolated students who come from families with little income but large asset bases will not be eligible to receive Youth Allowance or associated benefits.

So we have a situation where thousands of students, for years to come, will simply miss out on the opportunity to pursue higher education.

The Minister for Education has said that this legislation will ‘open the doors of higher education to a new generation of Australians’. But at the same time it will close the doors for rural students and it will, in the long run, close the doors of regional hospitals, law firms and other much-needed services, because it is the rural students that are more likely to take their professions back to the country. Rural and regional students who miss out on youth allowance as a direct result of these changes should still receive support to assist them in attending university. A scholarship program dedicated to these students would ensure that the doors do not close on their future.

As I said, I personally know what it feels like to be a rural student whose university aspirations are shattered or not fulfilled because of the insurmountable financial challenges associated with relocation. But I can only imagine what the parents of current regional high school students must feel when they have to tell their children that they simply cannot afford to send them to university. It is a national shame that such legislation is before us today—legislation that will force rural students into dilemmas that belong to decades past.

I would like to again quote the Federal Council of the Isolated Children’s Parents Association of Australia, from the submission they made to the Senate inquiry. They made the point:

Access and affordability to education from early childhood to tertiary education is of paramount importance to rural and remote families. There are approximately 3,500 ICPA members who reside in rural and remote Australia. These members are reporting, with increasing desperation, the difficulty they are having accessing and affording appropriate secondary and tertiary education, for their children. ... Students wishing to access an appropriate education frequently must relocate from their homes and their families in order to access most education institutions. This involves substantial upfront costs which are often out of the reach of students and their families. In
many cases students choose not to participate and hence do not reach their full educational potential. Their submission also said:

Students will become less inclined to pursue higher education if they are forced to work full time first and remain away from the study environment for two years. Studies have shown that on completion of their university studies, rural and remote students are more likely to return to their communities or another rural community to seek employment than non-rural students. Rural and remote students who choose to study at TAFE or commence an apprenticeship are faced with similar challenges in accessing financial assistance for relocation and eligibility for Youth Allowance. Rural and remote students need to be encouraged to pursue post secondary education and receive financial assistance to access study options.

I listened in part to the speech by the member for Grey in this place just a short while ago and I think he made the point that it is not easy for families to make the decision to send their young people away. Emotionally it is a hard decision. That can be greatly exacerbated by the immense financial pressures in order for parents to give to their young people the opportunities that many in city areas take so much for granted. So there is a cost for families, and it is not just financial; it is an emotional cost. It is that difficulty of sending your young people away and having that fracturing of the family as well. I do not think that should be overlooked.

Offering more assistance to more students does not come without a cost. Students should not be forced to work to meet unrealistic criteria just so that they have access to youth allowance payments. We in this place need to be doing all that we can to encourage young people to pursue higher education—not creating barriers to that education and to those aspirations, not killing off that enthusiasm. I think it is great tragedy. I do not think that we pay enough attention to the issues that impact on our young people, and I am pleased to be participating at the moment in some committee work that is looking at some of the issues that impact on young people.

I am afraid that this legislation has the potential to have quite a devastating impact on people living in rural and regional Australia. I hope that the government will look very carefully at the evidence that was given to the Senate inquiry, listen to the very real concerns being expressed throughout the community, particularly by rural and regional communities, and better target this legislation to ensure the desired equity and make sure that young people do have every opportunity to pursue their aspirations to higher education.

Mr HARTSUYKER (Cowper) (7.36 pm)—I welcome the opportunity to speak on the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009. I commend the contribution of the member for Pearce to this debate. This bill has been the subject of much debate in my electorate for many months, and I am pleased now to have this opportunity to raise the concerns of my constituents in this parliament.

Students in Australia are supported primarily through Youth Allowance and its associated benefits and payments. Youth allowance is intended not to provide luxuries for students but to assist them in paying for the very basic necessities whilst they are studying. For students from regional areas, youth allowance is particularly important because they often have the added expense of having to travel far from home to obtain a university education.

We all know that tertiary education is vital to meeting Australia’s future skill needs. As we speak, our universities are producing the next generation of doctors, lawyers, engineers, scientists and teachers. Youth allowance plays a big part in allowing young peo-
ple to get access to tertiary education. We should be doing everything we can to ensure that Youth Allowance is sustainable and accessible.

This legislation will make a number of changes to the system of income support for students. From 1 January 2010, all recipients of youth allowance will be eligible for a student start-up scholarship of $2,254, which will be indexed in the following years. The government estimates that 172,600 students will access the payment from 2013. The legislation also introduces a relocation scholarship to be paid to students who have to move away from home to study. This payment will be $4,000 in the first year and $1,000 for each subsequent year. The legislation also reduces the age of independence from 25 years to 22 years, which I believe is a common-sense move.

One particular change of importance is the increase in the personal income test threshold. Currently, students start to have their youth allowance reduced if they earn more than $236 in a given fortnight. That limit will be raised to $400, allowing students to work casually or part-time without losing the certainty of their regular youth allowance payment.

The legislation also increases the parental income test threshold. Currently, a student’s youth allowance begins to taper off once his parents’ annual income reaches $32,800. This assumes that parents earning more than $32,800 have spare income to support a student away at university—an assumption which is unrealistic. The new parental income threshold will be set at $44,165 per year.

Most concerning in this legislation, however, is the changes to the workplace participation criteria. Currently there are three ways a young person can establish their independence for the purposes of receiving youth allowance. The most common way is through taking a gap year after high school in which that young person must earn at least $19,532. The legislation removes that avenue to achieving independence. Under the new system, the only way to establish independence will be by working full time for at least 18 months in the two years after completing high school.

It is concerning to note that the legislation seeks to introduce these changes on 1 January 2010, which will affect those students already in a gap year. Some of these changes are welcome and will be beneficial for young people trying to access tertiary education, but I am very concerned with the changes that are being made in relation to the gap year. I recently held a forum in my electorate to speak with young people and their parents about these changes. About 70 people came to air their concerns.

Amongst the issues raised was the fact that regional students and their families are already disadvantaged in accessing tertiary or vocational education because of the need to relocate. We in Coffs Harbour are very fortunate to have the Southern Cross University at the Coffs Harbour Education Campus, which also has a high-quality TAFE and senior high school. But many courses are not offered at that university and many students from Coffs Harbour and the surrounding area still have to travel to Brisbane or Sydney to gain education. Many metropolitan students who seek to take a course at Southern Cross University in Coffs Harbour would also be disadvantaged by these changes because they likewise would have to travel to the university on the North Coast.

Some parents have raised with me the very high costs of assisting their young people to attend a university away from home. It has been quoted to me as costing about $18,000 a year. It is rather unfortunate that
students who have to move away from home are being so disadvantaged by these changes.

Also I have great concern with the fact that students are required to work 30 hours a week every week during the 18 months that they are required to gain this income. This is very difficult in regional areas, where much of the employment is seasonal and where many people who are seeking full-time employment do not gain 30 hours a week. This is extremely difficult and very unrealistic. If a student earns a reasonable amount of income, they can still fail to meet the continuity test, if you like, under this legislation. It is a significant disadvantage, a significant drawback.

This part of the legislation shows that this government has not realised the special needs of people in regional areas. It has not realised the amount of seasonal work that students are normally involved in. Those are the sorts of jobs they do. It is students who are providing extra labour in the Christmas holidays when the tourist season is in full flight. It is students who are providing the extra labour at harvest time in our agricultural areas to assist with getting the harvest in. Those jobs do not last all year round. This legislation neglects that fact, and regional and rural students are worse off for that omission.

The Minister for Education and the Minister for Employment and Workplace Relations should know that there are not a lot of full-time jobs in regional areas. She chose to ignore this very important point when drafting this legislation. Like so many things this government does, this is very short on detail. It is very big on rhetoric, but very short on detail.

Also, many universities only allow 12-month deferrals. If you have to defer for two years, you may well be excluded from your course. If you have to defer for two years, you may never end up setting foot inside a university at all. It may be that many young people decide not to ultimately pursue a university education because of the legislative changes that this government is going to introduce.

Where will our professionals for the future come from? Where will the many professionals that are needed in regional and rural areas come from if they are being actively deterred from taking on tertiary studies? The government should not be contradicting its rhetoric on education by introducing measures in relation to youth allowance which positively discriminate against regional students and which positively discriminate against students seeking to increase their skills by gaining a tertiary education.

It is not only the cash. There are also the associated benefits of youth allowance. A student may no longer be able to access the benefits of a health care card. There are other benefits that flow with the actual youth allowance benefits. These changes will have a substantial impact on thousands of students who may wish to study in future years, as well as on those who are currently completing their gap year. The fact that this legislation is effectively retrospective is one of the most reprehensible factors in relation to this legislation.

The opposition is steadfastly opposed to these changes to youth allowance, which would work against the best interests of people in regional and rural areas. They are absolutely in support of youth allowance. They are in support of our regional students, to encourage them to get a tertiary education or the skills of their choice; to encourage them to meet that extra expense of moving away from home if they need to to obtain the sorts of skills that are needed in regional areas.

It was interesting to note the speech the Minister for Education made on 4 March this
year at the Universities Australia Conference. She said:

National participation and attainment in higher education is too low.

Later in the speech, she told the conference:

To be a stronger and fairer nation, the Australian people must be amongst the most highly educated and skilled on earth. This is a vision for all Australians not just a few Australians. Our nation will never be at its best if we ignore the skills and capacities of those who are not born into privileged positions.

This grand rhetoric sounds wonderful. It is wonderful to go into a universities conference and waffle on about a grand vision for education. But when it comes to the detail—to actually putting the policy into practice, to the rubber hitting the road—we introduce a system that is going to discriminate against the thousands upon thousands of students who have been brought up in a regional area and may have to travel a long way to get the sorts of opportunities that metropolitan students take for granted. I find it incredible that we do not hear a squeak out of the Labor regional members. We do not hear the Labor regional members standing up for the students they represent. We do not hear them holding forums around their electorates to hear the views of the students who are being dramatically disadvantaged by these proposed changes.

The people of Cowper have spoken very loudly. They have said to me that they are concerned by these changes. They have said to me that they want to receive a tertiary education. They have said to me that they are going to put in the hard yards to get an education but they expect some assistance from this government to help them make it happen. We put a great amount of resource in this country into trying to get lower skilled people into work and yet we have a huge cohort of young people keen and eager to seek training to improve themselves and we are not maximising that benefit. We are working very hard at getting the long-term unemployed into work—and so we should—but we should be equalling that effort with making sure that we encourage every regional and rural student to achieve their best; encourage every regional and rural student to get a tertiary education or a TAFE qualification, or whatever it is they seek. We should be supporting them with independent youth allowance. We should not be deterring them in the pursuit of improving their education.

Mrs Hull (Riverina) (7.48 pm)—This evening I rise to raise my concerns and the concerns of the many hundreds of students and their families from my electorate of Riverina. It has been explained here in the House, time and time again, just exactly what the issues are that are confronting rural and regional students. When you look at the transcripts of hearings that have been held on this issue, your heart really does go out to some very clever people who have determined that the changes the government are making to the way in which youth allowance will be applied are certainly going to impact on them. So rather than them accepting what the government is saying—that this is going to be better for you; we are doing much more for the students than was done before—these are smart young people who have determined that it is not going to be better for them.

If someone applies for youth allowance under the current arrangements they will be assessed as either dependent or independent, as has been identified in the House many times. To be classified as fully dependent and receive the full amount of the youth allowance, the income of the student’s parents must fall below $33,000. For many families, this will not be the case. If students cannot be deemed dependent, they have to become independent to receive the youth allowance. To be classified as independent and receive...
the full amount of youth allowance, students currently have to meet one of these criteria: they have to have worked full-time—at least 30 hours a week—for at least 18 months in the last two years; or have worked part-time—at least 15 hours a week—for at least two years since leaving school; or have been out of school for at least 18 months and have earned at least 75 per cent of the maximum rate of pay under wage level A of the Australian Pay and Classification Scale in an 18-month period—about $19,500.

What we have here is a plan by the government to take away the second two options that I have just mentioned. They will have to have worked full-time—at least 30 hours a week—for at least 18 months in the last two years. That is, as all the regional members I think have raised in this House, where the problem lies. It is simply almost impossible for our regional students to do this.

I collated a few comments from the Senate committee hearings on this issue and I will quote from the Hansard. One young person, Ms Sinclair, said during the Senate hearing on Tuesday, 13 October 2009 that she believed the government had it wrong. She said:

I collected papers over the last two months to see what jobs we could apply for. I come from Orange, which is quite regional compared to those girls—
she was speaking about some other students at the time—
I circled nine jobs in four weeks that I could apply for and that gave me 30 hours a week. There are another 300 kids graduating. There are just not enough jobs. The proof is there; it is in the papers and the statistics.

This young woman had circled nine jobs she could apply for that would give her the 30 hours a week to meet what the government is going to demand, but she was going to be one of 300 kids applying for the jobs. The statistics are not adding up very well in favour of regional students. Another young person said that he believed the government was right and that the money should go to people who need and deserve it. But he said:

...it should not be done in a way that eliminates people that do need it from being able to earn their independent youth allows in. In rural areas there are not enough jobs for 30 hours a week for 18 months, especially ... with our year. When the next generation of school leavers leave, we will still be here for 18 months and there will be absolutely no jobs for them because employers will not be employing. Without that, it is not that it is too hard; it is impossible. If the work is not there, the students cannot do 30 hours a week of employed work.

As we have indicated all the way through this debate, speakers from regional electorates have said how young people have qualified for this money in the past. One of the young students, when she had the question posed to her by a senator during the Senate committee hearing, said that she had calculated some of the costs at the ANU and it was one of the cheaper ones compared to, say, going to Sydney. She said:

Throwing in the basic costs, I think it was about $13½ thousand for board. When you put a bit of travel money and extra costs on top of that, it was going to be about $18,000.

The senator said to this young girl:

If you were getting the relocation scholarship, that would be $4,000 for the first year.

The young lady answered:

But how many people get the scholarships? That is it. I have two older sisters that have been through it and they apply for all the scholarships that are available, and neither of them have even got one. I understand scholarships cannot be for everybody, but why is it that, when, for example—

and she spoke about another person—

Amelia and I are exactly the same—we are exactly the same people; we are working just as
hard—Amelia may get a scholarship and I may not. Why is that?
Most of the students indicated during the hearing that they were planning to earn the money they required in their holidays. They believed that they could do seasonal work in the breaks which would enable them to meet the criteria for their lifelong dream of attending university.

This whole debate has been skewed and is very, very confusing because, when the government say they are going to enable many more thousands of people to access payment, the fact is that ‘access’ could mean anything from $3 a week because it is a tapering amount. There is a tapering level that is applied to this. People are not going to be accessing more of this. Why would you spend $20,000 to get $1,000 back? It just does not make economic sense. As I said, it has been extremely confusing. The government have essentially proposed changes that tighten the criteria, which most regional students use, to access youth allowance. It is of grave concern to the people in regional areas.

I am in the Riverina electorate and I have young students in Ardlethan, Temora and Ariah Park who cannot access work. I have had parents say to me: ‘We come from a town with just a hotel and a local store. There are simply no employment options available. Our child will have to go away and work for 30 hours a week before they can qualify as being independent, and they will have to do that for two years.’ Who will meet their costs for the two years?

One of the telling things I learned from reading the Senate hearing was just how little many government members know about what it is like in rural and regional Australia, such as how long we have been in drought, and just how little understanding there is about the impact of this legislation. One of the young girls was speaking to one of the Labor senators and she said that she felt she was not going to qualify because of assets, because of land. She said:
For me it is assets.
Most of them were saying it is because of assets, because they were certainly not getting income. Senator O’Brien said:
It is the value of your rural property rather than your parental income threshold?
One of the young ladies said:
Yes, even though there may not be any income at all—nothing tangible.
One of the other senators said:
You cannot really sell a paddock to pay for school bills.
Then Senator O’Brien said:
I suppose you could debate that. Some people would suggest that, in some circumstances, some people can borrow against assets to derive an income.
I thought: how could Senator O’Brien, who was once, I think, the shadow minister for agriculture, have so little understanding about the plight that regional Australia, particularly regional New South Wales, has been in for eight years? We are heading for an other crop loss and we will be holding a crisis meeting, again, in the Riverina on 3 November for the eighth crop loss in a row—would you be looking at selling off your assets or going into debt and borrowing more money against them? The fact is these people have borrowed to the hilt and have not had income for eight years. I think it was a bit of an indictment and a real eye-opener for people who were listening at the hearing or have read the transcripts—there was obviously very little understanding of how regional Australia has been working over the last eight to 10 years.

In speaking on this bill I can only say that this is a mistake—one of the most serious mistakes that has been made. I urge the min-
ister to recognise this serious mistake, to recognise how it will impact on regional students in particular, to make the changes that are required to be made, to put the other two tiers capacity to earn income back into place and to take out this ridiculous one-size-fits-all criterion whereby you must work 30 hours a week for 18 months to two years, which really equates to full-time work. If the minister cannot see that that disadvantages regional students then, seriously, I do question her judgement. I certainly would say that this should not be supported and, basically, we should be looking to put back the tiers to enable all regional students to qualify for youth allowance so that they can get on with their studies and get onto providing the skilled resources in regional Australia that we are so desperately seeking.

Mr JOHN COBB (Calare) (8.01 pm)—I currently represent the largest electorate in New South Wales—though not after the next election—which takes in a very large proportion of central western and western New South Wales. The Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 we are debating today is enormously important to the electorate because there are very few students in it who can access tertiary education without living away from home. The point is that they do not have options. The cost of living away from home is a reality for virtually every student who lives in central and western New South Wales. The Rudd government’s proposed changes to the independent youth allowance criteria are seriously flawed, which is why it is currently being reviewed as part of a Senate Rural and Regional Affairs and Transport References Committee inquiry.

If we allow this measure—which can only be described as cruel to the people who live out there—to go through, country students will be seriously disadvantaged. Many will simply be unable to afford a tertiary education. We have to appreciate the cost for somebody who lives in Orange let alone Condobolin, Cobar, Broken Hill or anywhere west of the Blue Mountains. The further you go, obviously, the higher the costs and the greater the dislocation. Most young people who live in regional Australia have to travel away from home for tertiary studies simply because there is no university on the street corner in regional communities. Where there are universities in bigger regional cities, they may not offer the course that the student requires to fulfil their role or their designs in life.

This issue, the youth allowance, has galvanised my electorate of Calare into action, which, I have to say with a great deal of pride, is being led by young students during a time which is very busy for them because they are just starting their HSC exams. Students Cody, Daniel, Amelia and Susan travelled to Canberra just last week or the week before to give evidence to the Senate inquiry which is looking into the issue. These young people did an outstanding job representing all young people. I believe they were from government and non-government schools in Orange and Cowra. They were representing every student west of the Blue Mountains who want a tertiary education and will be disadvantaged if Labor’s changes are passed through this parliament.

The students won widespread praise from the senators in representing the students of our region and for bringing to the attention of our inquiry that working 30 hours a week for 18 months is not doable in regional Australia, where there just are not the jobs. They do not exist no matter how keen people are to meet the criteria. One of the students has been watching job advertisements in the local paper and says there are very few which she and other school leavers could apply for. With 300 or so students looking for work, I guess that clearly says it all.
They raised the point at the Senate inquiry that if they needed to work essentially for two years at 30 hours a week to qualify for the independent youth allowance then next year that will effectively wipe out any of the handful of jobs usually made available to school leavers, therefore making it even harder for the next group of year 12 leavers.

They told the inquiry that the independent youth allowance assistance is the only way they can afford to go to university and that they did not want to rely on their families to help them achieve higher study. One of them made the comment, ‘I guess if they really had to, mum and dad might be able to take out another mortgage.’ Is that really the cost you want to impose on a family who are struggling?

These young people want to work. They are not frightened to work. There is a work ethic out there and they are a part of it. But they are now facing rules where they need to get 30 hours a week for 18 months. There are not the jobs there in regional Australia for that to be possible for anyone who wants to attend university in the future. Orange student, Cody, hopes to study medicine and hopes to get a great job next year with regular weekly work but will be just short of the 30-hour threshold. Particularly, being only a few days out from their HSC exams, the students put in a big effort to attend the Senate hearing because they felt so strongly about the issue. Under some tough questioning, they certainly held their own.

I have condemned before this the aggressive questioning by Labor senator Kerry O’Brien. To have an extremely experienced politician such as Senator O’Brien bombard 17-year-olds with questions about their parents’ personal situation and their opinions on an appropriate threshold for parental income was not on. Before they came down I met with them in Orange. They were very nervous, and why wouldn’t they be? They are facing their exams. Okay, those of us in this place may not think it that big a deal to appear before a Senate inquiry, but we are used to it. These are kids working their guts out, getting ready to do the biggest exam of their lives, and they are coming down to meet with the Senate. I said to them: ‘Don’t be nervous. The senators will do everything in their power to put you at ease. They will simply ask you to tell your story.’ I was wrong. One of those people did bombard them with questions, did give them a hard time and did ask them questions that I do not believe you should ask a 17-year-old student. But, to their credit—I am incredibly proud, as I believe all western New South Wales and regional people, be they in Indi or anywhere else in Australia, should be, of these four students—they handled themselves extremely well, better than many of the seasoned campaigners of this process. They turned the table on one of the committee’s most senior members. For Senator Brian to put himself in a position where he was not only asked by a 17-year-old what his question is but pulled up by the committee chair for asking personal information is simply proof that the Rudd government has no idea what impact its changes are going to have on Australia’s regional future and the ability of regional students to be educated and to take that knowledge back to their homes.

Before our students gave evidence to the senators, they raised the issue in every way possible. They tried to organise a protest rally, which, without doubt, should have had 500 or 1,000 students in the city of Orange. But because these students are law-abiding and believe in doing the right thing—some of us would not have bothered—they went to the police to check that everything was okay. They were told they had to have signatures from somebody taking responsibility for what they would all do. They were not able
to get them. I would have signed it myself, but I could not because you had to be the organiser to sign it. These same people, within 24 hours of the issue first coming to light, had organised 1,600 signatures opposing the changes and put forward not just a belief but the facts and the reasons why this would be so tough, so hard, for the students of regional Australia. It does not matter whether you are in Orange, Wilcannia or Kalgoorlie: this is going to be awfully tough. Despite these setbacks, our young regional students did not give up. They kept going, and they made their concerns and their protests—let us not be fooled about what this is about—heard at the highest levels. Hopefully, their efforts will pay off for country kids right around Australia. I hope so, because I have never been as proud of any of my constituents of any age, whether they were old enough to vote or not, than I am of those four students representing everybody west of the mountains.

Any young person from an average farming family will be ineligible to receive youth allowance because the value of the average family farm exceeds the asset test for the dependent rate of youth allowance. This is the case for an awful lot of students in my electorate of Calare. We all know that the average farming family income is nowhere near enough to support a child’s move to the city plus rent and living expenses where that student is at university. And, as the four high-school students told the Senate inquiry, the independent youth allowance is the only way they will be able to leave home and afford a tertiary education.

It has got me beat, to put it in an Australian way, why the Rudd government would want to make it harder for rural students. Rural Australia needs education as much as anywhere—more, in fact, because they do not have the opportunities, they do not have the alternatives, that exist within the metropolitan areas. I understand the federal government thinks it will save about $1.8 billion from people not accessing youth allowance through the workforce participation criteria. This is penny-pinching of the worst kind. At least 30,000 young people are likely to lose eligibility under the new rules. It is a well-known fact that country kids are most likely to return and practise what they learn back where it is needed the most. That has been proven in medicine. In the time of our government, we were able to increase the percentage of country kids attending medical school from a mere eight per cent to more than 26 per cent. All of that work we did all of those years ago to get more country kids into medicine and nursing is slowly starting to pay dividends. And we all know the only answer to having professionals—doctors, nurses or whatever it might be—in sufficient quantities out in the bush is to train our own kids. I am sure the member for Indi would agree nursing is the same: if we train our own, we have far more chance of keeping our own. That is a very big issue with the youth allowance. It does not matter whether you want to be a tradesperson or a professional. Every time I speak to schoolchildren or university students, I say: ‘Go away and learn what you have to learn. Take every opportunity you are given to reach the criteria of your chosen profession. But, whether you become a carpenter, a welder, a teacher, a policeman or whatever, come back to regional Australia, where you are needed the most, and make use of those skills.’

The youth allowance requirements set out that kids cannot have a gap year of 12 months, even if they could fit the required hours within 12 months. It is designed to prevent kids being able to take advantage of the youth allowance. The kids are aware of that. It is very obvious. You are denying them the chance to plan their education through the youth allowance. That is pretty
sad because it has been an extraordinarily successful program. If you think extraordinarily wealthy people are taking advantage of it then put some fences in, but do not kill it. The way it is now, only those from regional Australia who are in particularly humble circumstances, or those who are particularly wealthy, will be able to take advantage of youth allowance. Only they will be able to leave home and get a tertiary education for the betterment not just of rural Australia but of our whole country.

I have people coming into my office and phoning regularly just checking to see where this is up to. They are either worried about themselves, their kids or their grandkids and whether or not a tertiary education for country people will be out of reach. I guess, by and large, that the political persuasion of younger people and a lot of teachers is no great secret but I have never seen a lot of those same teachers get as upset with a Labor government as they have over this issue. I have never seen parents so galvanised. I have certainly—and I can say this standing here without the slightest shadow of a doubt—never seen students so upset. In fact, at a breakfast meeting at which we invited some 20 to 30 students the other day from five different high schools around Orange one of them got up and said, ‘Is this the Rudd education revolution?’.

Mr Slipper (Fisher) (8.16 pm)—Like other members of the Liberal-National team, I am very strongly in favour of making sure that students from around Australia, including students from rural and regional Australia, have fair and equitable access to higher education. On the Sunshine Coast, which I am privileged to represent in this place, we have a local university—the University of the Sunshine Coast—which has been extraordinarily successful in attracting students from not only around the area but around the state, the country and, indeed, overseas. There are many students on the Sunshine Coast who live with their families, or who have lived with their families, who have to move away to undertake study disciplines not offered by the University of the Sunshine Coast. Many of those students will be disadvantaged by the provisions currently before the chamber.

I am very strongly in favour of making sure that young people—who are, of course, Australia’s future—gain the most solid, valuable and useful education that they can. To enable this to happen in an equitable and compassionate society, it really is important to make sure that there are in place support systems that encourage and assist those students to gain their desired educational qualifications. If we provide the necessary ingredients and support services for students, then, provided the students are diligent and determined, they will be successful in achieving their educational goals. Our nation is immensely richer if more of our young Australians acquire these educational goals.

Youth has benefited as a group specifically from the Youth Allowance support provisions under the Social Security Act 1991 and the Youth Allowance program provides students with financial support during their studies, enabling them to focus more effectively on achieving their educational goals rather than simply on how they are able to exist, to survive, to pay rent, to put food on the table and shoes on their feet, and maybe to pay their bus or other public transport fares.

The Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 contains a number of provisions; however, the Liberal-National opposition proposes amendments: that the age at which students are deemed to be independent be reduced from 25 to 22 over several years, stepping down to 24 from 2010 and 23 the
following year and so on; and that students will not necessarily be deemed independent if they draw wages from a part-time job. The argument is that these changes will ensure that funds from the Youth Allowance kitty money will be better directed to those students who need it. Under this arrangement, students who are currently in the system will not be affected and the bill proposes the same scenario, which in this situation the Liberal-National opposition opposes, for those who last studied in 2008 and who propose to return to study in 2010.

Unfortunately, under the current makeup of this bill, some 25,000 students will not qualify for support from Youth Allowance in 2010 and the following year because the criteria will be narrowed significantly. Students will have to satisfy income threshold requirements as an independent, satisfy age requirements or have worked for 18 months full time prior to returning to study. For those currently in their gap year, the Liberal-National opposition suggests a better way to go is to retain the workforce participation criteria as this would allow the student to access support funds regardless of their parents’ income and assets.

The honourable member for Calare in his contribution emphasised that many rural and regional parents might be asset rich but income poor. They might well have a farm property which is valued at a substantial amount of money but unfortunately the income they derive is simply not sufficient to be able to personally support and maintain students at tertiary institutions, particularly as many rural and regional students are forced to move away from the family home to access educational opportunities.

The removal of the two workforce participation criteria as a result of this bill will, as I said, disadvantage rural and regional students, some of whom who will find themselves ineligible for youth allowance. To counteract this problem, the Liberal-National opposition proposes an amendment that introduces a new funding program that will assist those students and families who do not have the financial capability and who would otherwise be unable to afford the relocation cost of moving to university. Many prospective students from farming backgrounds are precluded, under the new arrangements, from qualification for youth allowance due to the fact that the family farm is valued above the threshold at which the youth allowance cuts out. They used to instead qualify for the youth allowance through the alternative workforce participation routes, but those doors will be closed by this bill as it currently stands.

Given the fact that the government now holds a substantial number of rural and regional seats, I simply do not understand why it has not been more responsive to the pleas of those people who will be seriously disadvantaged by the legislation before the chamber. All members of parliament are supposed to listen to their constituents. I believe that most of us do, but it seems amazing that the rural and regional members of the government party have been unable to convince the Minister for Education, the Deputy Prime Minister, to vary the legislation to ensure that the inequity which this legislation introduces is removed. We have a situation where, increasingly, families who are asset rich yet cash poor might well see their children precluded from having an education if they are from rural or regional areas. As the member for Calare pointed out, we have not had very many medical graduates who originate from rural areas. Over recent years this situation has been redressed to an extent, particularly with the establishment of new medical schools by the Howard government. Unfortunately, the legislation before the chamber will roll this back and it will be in-
creasingly difficult for rural and regional students to qualify in medicine.

The bill includes a new start-up scholarship of $2,254 for new students in 2010—proposed to be indexed in future years—which is a significant cost that, alone, will add up to more than $330 million in the first year. There is obvious benefit in providing financial support for those students as they settle into university life and a new format of education. However, the Liberal-National opposition propose that this allocation be reduced to $1,000 per student, which will ensure that students get a reasonable and significant amount of financial support while also saving the community $696 million over four years. The opposition have been very careful to be financially responsible, and that is why the amendments which will be moved in the chamber will be cost neutral. We saw that what the government was introducing was grossly inequitable. We sought to vary those arrangements to bring about the equity which is not currently present and we had to make sure that the whole scheme remained revenue neutral.

The University of the Sunshine Coast, which I mentioned earlier, has been returned to the electorate of Fisher with the latest boundary redistribution. That will be gazetted, I understand, on 15 December. The University of the Sunshine Coast is an incredible institution and it bounds ahead under the leadership of Vice-Chancellor Professor Paul Thomas. In fact, this university was only recognised as an independent institution, some 10 years ahead of what would otherwise have been the case, through the intervention that I made on the part of the university, accompanied by my colleague the honourable member for Fairfax. We went to see the then education minister, Dr David Kemp, who overruled the recommendations from his own department and gave the university the opportunity to convince him that the department’s recommendations were wrong. The university representatives went away, did the necessary homework and came back to see the minister. I have to say that I will eternally respect David Kemp because he was a minister who was prepared to stand up to his department. He saw that the case put forward by the university was compelling. He made administrative arrangements so that the University of the Sunshine Coast could be Australia’s newest greenfields university. It has simply not looked back.

Madam Deputy Speaker Bird, I know that in your own area you have the University of Wollongong. Professor Gerard Sutton, the vice-chancellor there, also does an amazing job. When we have vice-chancellors of institutions who go out there and take on governments and are prepared to say what needs to be said and do what needs to be done to guarantee success for their institution and success for the students they serve, then obviously those people deserve our great admiration.

As I said, there are some students from the Sunshine Coast who do have to travel to Brisbane or elsewhere to pursue courses not offered locally. These students will potentially be affected by the draconian provisions included in the legislation currently being debated in the chamber. I intend to support the amendments moved by the Liberal-National opposition, which will hopefully ameliorate the worst excesses of this bill. If the government is not prepared to be reasonable, if the government is not prepared to accept the amendments moved by the Liberal-National opposition, then the opposition will not hesitate to oppose the bill before the House.

Mr BRUCE SCOTT (Maranoa) (8.28 pm)—I rise tonight to speak on the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009,
which if passed will have a significant impact on current gap year students and, indeed, all high school students not only in my electorate but right across Australia. As students are doing exams right now, they are wondering what the future holds in relation to access to Commonwealth support. It is a very confusing scene out there for so many students. It is rather ironic that this legislation has been introduced by the Minister for Social Inclusion, because this bill will exclude—not include—so many rural and regional students whose parents just do not have the money to foot the bill for their own children’s tertiary education. These are students who have to leave home to gain access to post-secondary education.

The DEPUTY SPEAKER (Ms S Bird)—Order! It being 8.30 pm, the debate is interrupted in accordance with standing order 34. The debate is adjourned and the resumption of the debate will be made an 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:

Youth Allowance

To the Honourable The Speaker and Members of the House of Representatives.

Youth, Allowance Petition

The petitioners believe that the Youth Allowance changes proposed in the Federal Budget place another barrier to university participation for students in regional areas; unfairly discriminate against students currently undertaking a ‘gap’ year; and contradict other efforts to increase university participation by students from rural and regional Australia. We therefore ask the House to retain the 2nd and 3rd elements of the workforce criterion so that tertiary education is accessible to regional students.

by Mrs Irwin (from 36 citizens)

Traveston Crossing Dam

To the Honourable The Speaker and Members of the House of Representatives.

This petition is from concerned Australian residents and visitors to Australia.

We wish to convey to the House and Minister Garrett that we cherish the outstanding natural, recreational and economic values of Hervey Bay and our wetland of international significance, the Great Sandy Strait. We believe that the proposed Traveston Crossing dam will have a permanent detrimental impact on the fisheries and broader ecosystems of the Great Sandy Strait, the Mary River estuary and Hervey Bay.

We applaud Minister Garrett on the independent reviews he has already undertaken and ask that he commission and make public a detailed and thorough independent investigation of the optimal environmental flows needed to ensure that the ecosystems and fisheries of the Great Sandy Strait, Mary River estuary and Hervey Bay do not fall victim to excess water extraction from the Mary River associated with the proposed Traveston Crossing dam.

by Mrs Irwin (from 56 citizens)

Air Traffic Noise: Beechboro

To the Honourable The Speaker and Members of the House of Representatives.

This petition of residents of Beechboro, Perth, Western Australia draws to the attention of the House: Air traffic noise over Beechboro has increased consistently over recent months, causing a major nuisance. This is occurring at all hours of the day and is diminishing the quality of life of residents.

We therefore ask the House to: take steps to reduce the amount air traffic over the suburb of Beechboro.

by Mrs Irwin (from 26 citizens)

Human Rights: Falun Gong

To the Honourable The Speaker and Members of the House of Representatives.

This petition of certain citizens and residents of Australia draws to the attention of the House that
Falun Dafa (also known as Falun Gong) is a peaceful meditation practice based on the principles of Truthfulness, Compassion and Forbearance. Falun Gong practitioners in China have been subjected to the most brutal and relentless persecution by the Chinese communist regime since July 1999. According to investigative reports written by Canadian human rights lawyers Kilgour and Matas, a large number of Falun Gong practitioners may have also been subjected to forced organ harvesting in China.

We therefore ask the House to request the Prime Minister and the Foreign Minister to openly, forthrightly and immediately call for an immediate end to the persecution of Falun Gong in China.

by Mrs Irwin (from 553 citizens)

Crown Pardon: Mr Morant, Mr Handcock and Mr Witton

To the Honourable The Speaker and Members of the House of Representatives.

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

A matter concerning Australian citizens, Harry Harbord Morant, Peter Joseph Handcock and George Ramsdale Witton who were tried by British Military Courts Martial between 16 January 1902 and 17 February 1902.

Morant, Handcock and Witton were convicted of offences during their service in the Boer War. Morant, Handcock and Witton were convicted of murdering prisoners of war. Morant and Handcock were sentenced to death and executed by firing squad on 27 February 1902 at Pretoria, South Africa. Witton’s sentence was commuted to penal servitude for life. In 1904, following a petition to the British Crown submitted by Witton’s legal representative, Sir Isaac Isaacs, Witton was released from penal servitude.

There are aspects of the Courts martial proceedings that raise questions and concerns about the fairness, legal process and sentencing of Morant, Handcock and Witton.

We therefore ask the House to:

• Make representation to the British Crown and seek a review of the convictions and sentences of Morant, Handcock and Witton.
• Seek a British Crown pardon for Morant, Handcock and Witton with respect to the offences of which they were convicted.
• Seek commutation of the death sentences imposed on Morant and Handcock.

by Mrs Irwin (from 58 citizens)

Lymphoedema

To the Honourable The Speaker and Members of the House of Representatives.

This petition of certain citizens of Australia draws to the attention of the House the plight of those citizens who suffer primary or secondary lymphoedema, a serious chronic medical condition for which there is no cure.

If untreated, lymphoedema frequently leads to cellulitis, a condition which is costly and difficult to manage, and which often results in lengthy hospital stays.

We ask the House to recognise lymphoedema as a serious chronic medical condition and to include lymphoedema in the enhanced primary care programme.

We ask the House to allocate resources as a matter of urgency to establish regional and rural lymphoedema treatment centres.

We ask the House to provide funding for a public education campaign on lymphoedema, for a central register of lymphoedema treatment practitioners, and for a national lymphoedema helpline and website.

We ask that provision be made within Medicare for the cost of lymphoedema treatment, including the cost of compression garments, necessary for the successful management of lymphoedema.

We ask that the House adopt the International Lymphoedema Framework (ILF) Best Practice model (2007) when planning and implementing lymphoedema detection, treatment and management protocols.

by Mrs Irwin (from 1,849 citizens)

Petitions received.
Dear Mrs Irwin,

Thank you for your letter of 17 June 2009 seeking my response to a petition submitted to the Standing Committee on Petitions regarding a proposal to establish a Coral Sea Heritage Park.

The petition expresses concern over any possible actions by the Australian Government that will result in usage restrictions, access or additional controls over the Coral Sea beyond those that exist under current legislation, and refers to a proposal by the Pew Foundation to establish a Coral Sea Heritage Park.

The Coral Sea is internationally recognised for its rich biodiversity and important heritage values. On 19 May 2009 I announced the establishment of a Coral Sea Conservation Zone under the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act). The Coral Sea Conservation Zone covers approximately 972,000km² of Australian waters and seabed east of the Great Barrier Reef Marine Park, out to the edge of Australia’s Exclusive Economic Zone.

To establish a conservation zone, the EPBC Act requires that I be satisfied that the area should be assessed to determine whether the biodiversity, other natural features and heritage in the area should be protected by including the area in a Commonwealth reserve. There is no statutory requirement to consult with stakeholders prior to the proclamation of a conservation zone as consultation will be a key part of the assessment process which follows.

The environmental significance of the Coral Sea lies in its diverse array of coral reefs, atolls, deep sea plains and canyons, and the extent to which the region’s natural and heritage values have remained relatively undisturbed by direct human impact. Recent international studies have highlighted that the Coral Sea is one of the last remaining areas of the world’s oceans where large-scale and biologically rich ecosystems remain relatively intact. The Coral Sea also has important heritage significance, being the location of a number of historic shipwrecks and of major naval conflicts of World War II.

The Coral Sea Conservation Zone is an interim measure to protect the area against increasing pressures while it is being assessed for permanent protection. The conservation zone imposes no additional regulatory impact on most activities in the Coral Sea, such as commercial and recreational fishing, or cruise and merchant shipping. However, some commercial and scientific research activities require a permit. More information about the conservation zone is available at: http://www.environment.gov.au/coasts/coral-sea.html.

By declaring a conservation zone in the Coral Sea, the Australian Government is demonstrating its commitment to protecting one of Australia’s most biologically diverse and undisturbed marine environments.

The Coral Sea lies within the East Marine Region. The Australian Government process of marine bioregional planning is currently underway in this region and assessment of the Coral Sea area will be undertaken consistent with this process.

As the first major step in the marine bioregional planning process for the East Marine Region, a Bioregional Profile has been developed which describes in detail the conservation and heritage values of the region, including the Coral Sea. The profile, available from http://www.environment.gov.au/coasts/mbp/east/index.html, provides the foundation for the development of a Marine Bioregional Plan and the development of measures for the conservation and sustainable management of the marine environment, including the development of a new network of marine protected areas.

The marine bioregional planning process will involve extensive stakeholder consultation and a detailed analysis of the environmental, economic and social values of the area, as well as existing and potential future uses.

Thank you for referring this petition to me for response.

from the Minister for the Environment, Heritage and the Arts, Mr Garrett
Youth Allowance

Dear Mrs Irwin

Thank you for your letter of 19 August 2009 referring to a petition from a group of families, students and friends requesting that the proposed changes to the workforce participation criterion to qualify for the independent rate of Youth Allowance and ABSTUDY not be put into effect.

On 12 May 2009 the Australian Government announced a package of reforms to student income support to respond to the recommendations of the Bradley Review of Australian Higher Education. The proposed reforms will increase access to, and better target, income support for students who need it most, through a fairer and more equitable allocation of existing resources.

As part of the changes, the Parental Income Test threshold for maximum payment will be increased from $32 800 to $44 165 from 1 January 2010. This means young people will be eligible for Youth Allowance where their families earn much higher incomes than under current arrangements and that parental income cut-out points for part payment will be much higher.

Under the changes announced in the Budget, students from families with two children aged 18 years and over living away from home and a combined income of almost $141 000 may now be eligible to receive Youth Allowance, compared with around $107 000 for famines with two students aged 18 years and over living at home. This compares with the current cut-out points of around $79 000 for students living away from home, or $62 000 for students living at home.

To find out more, students and their parents may find it helpful to refer to the online Student Assistance Estimator which allows prospective students to enter their parents' income level and family type to gain an indication of the level of support they might expect to receive under the Government's proposed changes to Youth Allowance.

The Estimator, together with a number of fact sheets on the proposed changes, can be found at: www.deewr.gov.au/youthallowance.

In addition, the Government has proposed a new annual Student Start-up Scholarship of $2254 in 2010, and indexed in following years, which will be paid to each university student each year they are receiving income support. The full value of the scholarship will be provided to all university students receiving student income support, whether they receive a part-rate or full payment. These changes will benefit 146 600 students in 2010 and 172 600 students by 2013.

University students who are dependent Youth Allowance recipients and need to move away from home to study may also be eligible for the new Relocation Scholarship of $4000 in the first year of study and $1000 each year following. The Relocation Scholarship is additional to the Student Start-up Scholarship and will benefit rural and regional students in particular. Importantly, many students will also qualify for Rent Assistance. Currently, the number of Commonwealth Accommodation Scholarships is capped, which means that many rural and regional students miss out on this much-needed support.

To fund these measures, the workforce participation criterion for independence under Youth Allowance will be tightened in line with the recommendation of the Bradley Review and funding redirected to students who need it most. Students who have worked full-time for a minimum of 30 hours a week for at least 18 months in a two-year period will still be considered independent but students who have worked part-time or earned more than $19 532 over 18 months will not.

On 26 August, 2009 the Government announced a set of transitional arrangements for current gap year students who will have to move away from home to study in 2010. Under new transitional arrangements, young people will still be able to meet the existing Youth Allowance workforce participation criterion for independence by 30 June 2010 if they completed Year 12 in 2008, took a working gap year in 2009 and need to live away from home to start their chosen university course in 2010. This ensures that young people in this group will have an extra six months to qualify for independence under the current rules.

In the current economic climate, the Government’s proposed package of student income support reforms is designed to be budget-neutral. To meet the additional costs of the transitional arrangements, the Government has taken the difficult decision to postpone the changes to the personal income test threshold until 1 July 2012.
Importantly, no changes to other elements of the proposed reforms will be required to meet the Government’s fiscal responsibilities.

The Government’s announced changes to student income support will ensure we expand access to support and better assist those students who need it most.

I trust my comments are of assistance to the Standing Committee on Petitions and the petitioners.

from the **Minister for Education, Ms Gillard**

**Daylight Saving**

Dear Mrs Irwin

Thank you for your letter of 19 August 2009 to the Prime Minister with regard to a petition concerning a national, uniform approach to daylight saving. The Prime Minister has asked me to reply on his behalf.

Successive national governments have taken the approach that it is a matter for state and territory governments to determine, in the light of the preferences of their citizens, whether daylight saving should apply in their jurisdiction. In this regard it is instructive to note that in June 2007 the governments of New South Wales, Victoria, South Australia, Tasmania and the Australian Capital Territory reached agreement on a standard period of daylight saving. On the other hand, in May 2009, the Western Australian Government held a referendum on continuing daylight saving in its state that was not supported by a majority of its citizens, while Queensland and the Northern Territory do not currently observe daylight saving.

Given the current disposition of the states and territories towards daylight saving, as evinced in the actions of their governments, there would not appear to be sufficient support to warrant incurring the costs involved in conducting a referendum on daylight saving. This particularly applies in the current environment of fiscal constraint where limited budgetary resources are required for higher priority initiatives.

from the **Parliamentary Secretary to the Prime Minister, Mr Byrne**

**Queensland and New South Wales Floods**

Dear Mrs Irwin

Thank you for your letter of 25 June 2009 about the Petition tabled on 23 June 2009 regarding the availability of the Australian Government Disaster Recovery Payment to those people affected by the flooding in Northern New South Wales in March this year.

I welcome this opportunity to respond to the Member for Cowper’s Petition.

The Commonwealth Government acknowledges the distress and hardship arising from the flooding in Coffs Harbour and surrounding regions in March and April 2009.

On the part of the Commonwealth Government, the primary mechanism for responding to natural disasters is through the joint Commonwealth-State Natural Disaster Relief and Recovery Arrangements.

The financial measures made available for this event through the Natural Disaster Relief and Recovery Arrangements included funding for immediate hardship payments, reimbursement of essential household items and grants for repairs to homes. Concessional loans for small businesses, primary producers, and for voluntary non profit organisations, as well as road and rail freight subsidies and clean-up and recovery grants were also available to those affected by the event. Whilst the Petition does not note these Commonwealth contributions, you may be interested to know that approximately $2.4 million has already been provided to individuals, small businesses and primary producers affected by the March floods.

The Commonwealth Government provides partial reimbursement (50 or 75 cents per dollar) to the New South Wales Government for this assistance.

At a meeting between Mayor Rhoades, Mayor Troy, the Attorney-General, the Hon Robert McClelland MP, and myself on 19 August 2009, the Attorney-General agreed to write to the Mayors of Bellingen, Shire and Coffs Harbour City. The Attorney-General sent Mayor Rhoades and Mayor Troy a letter inviting them to provide further detailed information on the people who have been adversely affected by the March floods and to identify any significant gaps in assistance or insurance coverage for consideration by the Com-
monwealth. To gather this information, Coffs Harbour and Bellingen Councils are undertaking a survey inviting residents of the area to provide information on how they have been impacted by the floods along with assistance they have received to date through insurance and the NDRRA.

The Attorney-General intends to have this information provided by the end of October, for the Commonwealth to then consider.

from the Minister for Families, Housing, Community Services and Indigenous Affairs, Ms Macklin

World War II Sex Slavery

Dear Mrs Irwin

Thank you for your letter of 20 August 2009 forwarding a petition submitted to the Standing Committee on Petitions regarding justice for “comfort women”.

The Australian Government places great importance on the promotion of universal human rights, including, of course, the rights of women. Australia was one of the original signatories to the UN Convention on the Elimination of All forms of Discrimination against Women (CEDAW) in 1980 and ratified the Convention in 1983. Australia formally acceded to the Optional Protocol to CEDAW on 4 December 2008.

This matter falls within the portfolio responsibilities of the Minister for Foreign Affairs, the Hon Stephen Smith MR. I have taken the opportunity to forward a copy of your letter to Minister Smith for his consideration and reply.

from the Minister for the Status of Women, Ms Plibersek

Youth Allowance

Dear Mrs Irwin

Thank you for your letter of 10 September 2009 referring to a petition requesting that the implementation date for the changes to the second and third elements of the workforce participation criterion for eligibility for the independent rate of Youth Allowance be extended for 12 months and that the remaining element of the criterion be reconsidered by the Australian Government.

On 12 May 2009 the Australian Government announced a package of reforms to student income support to respond to the recommendations of the Bradley Review of Australian Higher Education. The proposed reforms will increase access to, and better target, income support for students who need it most, through a fairer and more equitable allocation of existing resources.

As part of the changes, the Parental Income Test threshold for maximum payment will be increased from $32,800 to $44,165 from 1 January 2010. This means young people will be eligible for Youth Allowance where their families earn much higher incomes than under current arrangements and that parental income cut-out points for part payment will be much higher.

Under the changes announced in the Budget, students from families with two children aged 18 years and over living away from home and a combined income of almost $141,000 may now be eligible to receive Youth Allowance, compared with around $107,000 for families with two students aged 18 years and over living at home. This compares with the current cut-out points of around $79,000 for students living away from home, or $62,000 for students living at home.

To find out more, students and their parents may find it helpful to refer to the online Student Assistance Estimator which allows prospective students to enter their parents’ income level and family type to gain an indication of the level of support they might expect to receive under the Government’s proposed changes to Youth Allowance. The Estimator, together with a number of fact sheets on the proposed changes, can be found at: www.deewr.gov.au/youthallowance.

In addition, the Government has proposed a new annual Student Start-up Scholarship of $2,254 in 2010, and indexed in following years, which will be paid to each university student each year they are receiving income support. The full value of the scholarship will be provided to all university students receiving student income support, whether they receive a part-rate or full payment. These changes will benefit 146,600 students in 2010 and 172,600 students by 2013.

University students who are dependent Youth Allowance recipients and need to move away from home to study may also be eligible for the...
new Relocation Scholarship of $4000 in the first year of study and $1000 each year following. The Relocation Scholarship is additional to the Student Start-up Scholarship and will benefit rural and regional students in particular. Importantly, many students will also qualify for Rent Assistance. Currently, the number of Commonwealth Accommodation Scholarships is capped, which means that many rural and regional students miss out on this much-needed support.

To fund these measures, the workforce participation criterion for independence under Youth Allowance will be tightened in line with the recommendation of the Bradley Review and funding redirected to students who need it most. Students who have worked full-time for a minimum of 30 hours a week for at least 18 months in a two-year period will still be considered independent but students who have worked part-time or earned more than $19 532 over 18 months will not.

On 26 August 2009, the Government announced a set of transitional arrangements for current gap year students who will have to move away from home to study in 2010. Under new transitional arrangements, young people will still be able to meet the existing Youth Allowance workforce participation criterion for independence by 30 June 2010 if they completed Year 12 in 2008, took a working gap year in 2009 and need to live away from home to start their chosen university course in 2010. This ensures that young people in this group will have an extra six months to qualify for independence under the current rules.

In the current economic climate, the Australian Government’s proposed package of student income support reforms is designed to be budget-neutral. To meet the additional costs of the transitional arrangements, the Government has taken the difficult decision to postpone the changes to the personal income test threshold until 1 July 2012.

I trust my comments are of assistance to the Standing Committee on Petitions and the petitioners.

from the Minister for Education, Ms Gillard

Wakefield Electorate: Health Services

Dear Mrs Irwin

Thank you for your letter of 19 August 2009 to the Minister for Health and Ageing, the Hon Nicola Roxon MP, regarding the current petition under the Committee’s consideration concerning the proposed change in the rural classification of Gawler. Your letter has been referred to me as the Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery.

I appreciate your update on the petition regarding the number of additional signatures and the terms of the petition.

I am pleased to confirm to you that the Australian Government has agreed to Gawler GP Inc using the term of ‘Rural in Transition’ and that the Government notes the special circumstances of Gawler, which has historically been a self-contained township, but is now enveloped by the outer metropolitan fringe of Adelaide. I do note, however, that the geographic classification of Gawler will remain as Australian Standard Geographical Classification — Remoteness Areas (ASGC-RA) 1 (Major Cities) and that the term ‘Rural in Transition’ has no material effect on access or eligibility to Government rural workforce incentive programs.

My meeting with Dr Anthony Page of Gawler GP Inc on 28 July 2009 addressed a number of the issues covered by the terms of petition. In particular, there are three specific rural workforce programs that were of concern and I undertook to examine the grandparenting arrangements further.

I have determined that the issues raised by Dr Page in relation to the Training for Rural and Remote Procedural GPs Program are in fact reproduced in a number of localities around Australia. Consequently, I have agreed to allow access to the Program by procedural GPs in metropolitan localities under very specific circumstances, which will include procedural GPs in the Gawler area.

Dr Page sought assurances from me in relation to possible changes to the Rural Locum Relief Program. This Program is due to be reviewed during 2009-10 and I am unable to pre-empt the findings of such a review. However it is reasonable to assume that if program changes were required, a
transition process would be implemented to reduce the immediate impact of any such changes. In the meantime, I can advise that until the completion of such a review the current arrangements under this program will continue.

In relation to access to GP Registrars, I have advised Dr Page that I expect that the greater flexibility in placements and increased number of GP registrars available in the system in the future will enable GP practices in Gawler to more easily attract GP registrars. It is anticipated that the increased number of registrars on the general pathway who will be eligible to complete their placements in Gawler will offset any potential reduction in Gawler’s access to registrars undertaking rural training placements.

I have continued to encourage Gawler GP Inc to apply for funding under the General Practice After Hours Program and am pleased that Country Health, South Australia has offered to assist Gawler GP Inc in completing the relevant application.

Finally, the Government has committed to monitor the transition of rural workforce programs to the new geographic classification system. I note that there are a number of communities, such as Gawler, that have voiced concerns with the prospective change to the ASGC-RA classification system, but as you would understand, it is not possible to test these assertions until such time that the system has been fully implemented.

I trust that the above information is of use.

from the Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery, Mr Snowdon

Aged Care

Dear Mrs Irwin

Thank you for your letter of 9 June 2009 to the Minister for Health and Ageing, the Hon Nicola Roxon MP, regarding a petition submitted for the consideration of the Standing Committee on Petitions. As this the petition concerns aged care services, I am responding as Minister for Ageing with this letter, as requested by Standing Order 209(b).

The Rudd Government is committed to a sustainable aged care sector and the protection of the nation’s frail and elderly. Over the next four years the government will provide a record $44 billion in direct financial support for aged and community care providers who care for older Australians. This is more than $2.5 billion over previous projections for aged and community care. No Australian government has provided more.

In 2009-10, the Rudd Government will provide $9.9 billion for aged care, including $7.1 billion for residential aged care — an increase of nearly 10 per cent on the previous year. This year, residential aged care providers will receive, on average, an increase in funding per resident of 6.5 per cent — around three times the rate of inflation.

It is not valid to compare aged care indexation increases with those increases built into the Australian Government and States Health and disability funding agreements. The proposed increases in health funding take account of increases in volumes and new technologies. The appropriate comparator in the case of residential care is funding per resident — and funding per aged care resident in 2008-09 was approximately 8 per cent higher than it was in 2007-08.

The Rudd Government recognises the increasing demands that will be placed on the aged care system in the coming years as a result of Australia’s ageing population. The Government is considering the longer term needs of the aged care system, taking into account the recommendations of the National Health and Hospitals Reform Commission.

from the Minister for Ageing, Ms Elliot

Australian Service Medal

Dear Mrs Irwin

Thank you for your letter of 19 August 2009 to the Minister for Defence, Senator the Hon John Faulkner, on behalf of petitioner Mr Mark Rowell concerning eligibility for the Australian Service Medal (ASM) and applicable clasps for short-term service. As this matter falls within my portfolio responsibilities, your correspondence has been passed to me for response.

I am advised the ASM was introduced in 1995 for service in prescribed peacekeeping or non-warlike operations. The minimum qualifying period for the medal is 30 days in an operational area and it is awarded with a clasp denoting the
operation. The medal recognises service that involves a level of hazard greater than that experienced during normal peacetime service, but not the same level of danger and hardship associated with warlike service. For this reason, a longer period of service is required to justify the awarding of a medal.

Any decision to reduce a qualifying period for medal purposes is made on the basis that there are operational reasons requiring a lesser duration of service. Two examples of when a shortened qualifying period was applied to the ASM are the period leading up to the First Gulf War and the first phase of the intervention in East Timor in 2006. These were exceptional occurrences and, in both cases, the nature of service warranted a lesser qualifying period.

I am advised the decision to reduce an award’s qualifying period is carefully considered and rarely taken. Any determination to apply a reduced qualifying period is made on the basis that there are operational reasons requiring a lesser duration of service.

Short-term deployment is an unavoidable consequence of certain duties undertaken by Australian Defence Force personnel. This often involves health professionals and other specialists who are employed for specific tasks. To ensure the integrity of awards is maintained, and to appropriately recognise service of personnel who complete minimum qualifying periods, short-term deployment is not, in itself, sufficient justification to amend standard qualifying periods for any existing Defence awards.

I hope this information will be of assistance to the Committee.

from the Parliamentary Secretary for Defence Support, Dr Kelly

Youth Allowance

Dear Mrs Irwin

Thank you for your letter of 12 August 2009 referring to a petition from Gippsland residents requesting that the second and third elements of the workforce participation criterion to qualify for the independent rate of Youth Allowance and ABSTUDY be retained. I apologise for the delay in responding.

On 12 May 2009 the Australian Government announced a package of reforms to student income support to respond to the recommendations and findings of the Bradley Review of Australian Higher Education. The proposed reforms will increase access to, and better target, income support for students who need it most, through a fairer and more equitable allocation of existing resources.

More students will be eligible to receive Youth Allowance as a result of the changes the Government plans to make to student income support arrangements. Around 68 000 more young people will be able to access Youth Allowance in 2010 and almost 35 000 existing recipients will receive a higher payment as a result of an increase to the Parental Income Test threshold for maximum payment from $32 800 to $44 165 from 1 January 2010.

Under the changes announced in the Budget, students from families with two children aged 18 years and over living away from home and a combined income of almost $141 000 may now be eligible to receive Youth Allowance, compared with around $107 000 for families with two students aged 18 years and over living at home. Currently, two students in this age range living away from home are not eligible for payment once their family income reaches around $79 000, or $62 000 if living at home.

In addition, the Government has proposed a new annual Student Start-up Scholarship of $2254 in 2010, and indexed in following years, which will be paid to each university student each year they are receiving income support. This is equivalent to around $43 per week. The full value of the scholarship will be provided to all university students receiving student income support, whether they receive a part-rate or full payment. These changes will benefit 146 600 students in 2010 and 172 600 students by 2013.

University students who are dependent recipients of Youth Allowance and need to move away from home to study may also be eligible for the new Relocation Scholarship of $4000 in the first year of study and $1000 each year following. The Relocation Scholarship is in addition to the Student Start-up Scholarship and will benefit rural and
regional students in particular. Many students will also qualify for Rent Assistance. 
Currently, the number of Commonwealth Accommodation Scholarships is capped, which means that many rural and regional students miss out on this much-needed support. 

To fund these measures, the workforce participation criterion for independence under Youth Allowance will be tightened in line with the recommendation of the Bradley Review and funding redirected to students who need it most. Students who have worked full-time for a minimum of 30 hours a week for at least 18 months in a two-year period will still be considered independent but students who have undertaken part-time work or earned more than $19,532 over 18 months will not.

As a result of the changes to the Parental Income Test, many students who previously considered themselves forced to gain eligibility through the workforce participation criterion for independence will be eligible to receive Youth Allowance as dependent recipients. They will not need to take a ‘gap year’ to do so.

However, on 26 August, 2009 the Government announced a set of transitional arrangements for current gap year students who will have to move away from home to study in 2010. Under new transitional arrangements, young people will still be able to meet the existing workforce independence criterion by 30 June 2010 if they completed Year 12 in 2008, took a working gap year in 2009 and need to live more than 90 minutes away from home to do their chosen university course in 2010. This ensures that young people in this group, many of whom took a gap year in order to qualify for Youth Allowance in 2010, will have an extra six months to qualify for independent status under the current workforce participation rules.

These arrangements recognise that some 2008 Year 12 completers from rural and regional Australia, in particular, have based their plans for going to university on accessing Youth Allowance by taking a working gap year through 2009.

In the current economic climate, the Government’s proposed package of student income support reforms is designed to be budget-neutral. To meet the additional costs associated with the transitional arrangements, the Government has taken the difficult decision to postpone the changes to the personal income test threshold until 1 July 2012.

To find out more, students and their parents may find it helpful to refer to a new online Student Assistance Estimator which allows prospective students to enter their parents’ income level and family type to gain an indication of the level of support they might expect to receive under the Government’s proposed changes to Youth Allowance.

The Estimator, together with a number of fact sheets providing more information on the proposed changes, can be found at: www.deewr.gov.au/youthallowance. Centrelink will also be able to provide further advice on the new arrangements after the enabling legislation has been enacted.

I trust my comments are of assistance to the Standing Committee on Petitions and the petitioners of Gippsland.

from the Minister for Education, Ms Gillard

Carbon Pollution Reduction Scheme

Dear Mrs Irwin

Thank you for your letter of 11 June 2009 concerning two petitions submitted to the Standing Committee on Petitions regarding the Carbon Pollution Reduction Scheme (CPRS).

Tackling the challenge of climate change is one of the Australian Government’s highest priorities. The Government has committed to ambitious emissions reduction targets and is implementing a comprehensive nationwide response to climate change: reducing emissions; adapting to unavoidable climate change; and helping to shape a global response. These actions will safeguard our environment, sustain our society, and support our economy for the years ahead.

The Government is committed to reducing national emissions to 25 per cent below 2000 levels by 2020 in the context of a comprehensive global agreement capable of stabilising atmospheric concentrations of greenhouse gases at 450 parts per million (ppm) CO2-equivalent or lower. This recognises the finding of the Garnaut Climate
Change Review that fair and effective global action that stabilises greenhouse gases at this level would be in our national interest.

If global commitments in the next few years fall short of being capable of achieving this stabilisation goal, the Government remains committed to the medium term target range set out in the December 2008 White Paper. This includes an unconditional commitment to reduce emissions to 5 per cent below 2000 levels by 2020, regardless of the commitments and actions of other nations. It also includes a commitment to reduce emissions by up to 15 per cent on 2000 levels by 2020 in the context of an international agreement where major developing economies commit to substantially restrain emissions, and advanced economies take on commitments comparable to Australia’s, but global action falls short of stabilisation at 450 ppm or lower.

Australia’s 2020 targets are a credible and constructive contribution to global action. The 25 per cent commitment would involve comparable or more ambitious action than the 2020 targets announced by other nations, taking account of different national circumstances.

The Government recognises that Australian households want to take further action to reduce Australia’s carbon pollution. That is why the Government has announced a suite of measures to support voluntary action to reduce greenhouse gas emissions.

To recognise household and business action in purchasing GreenPower, the Government will take purchases of additional accredited GreenPower above a baseline into account in setting future CPRS caps. The Government will also cancel international units for these additional GreenPower purchases. This means individuals and businesses taking these actions will achieve an emissions reduction beyond our national target.

Through the Australian Carbon Trust, all Australians can purchase and retire as many carbon pollution permits as they like. This will ensure Australia reduces emissions by an even greater amount than the CPRS targets. The Government will cancel an equivalent number of international units for all carbon pollution permits purchased by Australians through the Carbon Trust.

The Australian Carbon Trust will also allow Australians to purchase carbon offset credits that comply with the Government’s forthcoming National Carbon Offset Standard. Purchases of both carbon pollution permits and offsets will be tax deductible.

Measured, sensible action is required to lower our carbon pollution, secure our future prosperity and create the skilled jobs of the future. The Government remains committed to reducing Australia’s greenhouse gas emissions in an economically responsible manner and creating a prosperous low pollution economy in which Australia’s environment is protected and Australian society continues to flourish.

Thank you for bringing these issues to my attention.

from the Minister for Climate Change and Water, Senator Wong

Byron Bay Declaration
Indigenous Australians
Aboriginal Tent Embassy

Dear Mrs Irwin
Thank you for your letter of 11 June 2009 about three petitions that relate to Indigenous Australians which were submitted to the Standing Committee on Petitions for consideration on 25 May 2009. I apologise for the delay in responding.

I acknowledge the issues raised by the Byron Bay Declaration, as highlighted in Petition No 158/257. The Australian Government respects and supports the legal recognition of Indigenous rights to land through native title and the statutory recognition process. Since the Mabo judgement, there has been a positive change in the way the nation understands Aboriginal and Torres Strait Islander peoples’ prior ownership of their lands.

The Declaration also calls for a treaty. The issue of formal legal recognition of Aboriginal and Torres Strait Islander peoples was raised at the Australia 2020 Summit in April 2008, and discussed in various terms including an agreement, pact, treaty, Bill of Rights or constitutional amendment. The Government has expressed its support for formal constitutional recognition of Aboriginal and Torres Strait Islander peoples as a
key issue for consideration, and has committed to consulting with the community on a range of proposed constitutional reforms.

The Government has also committed to establishing a National Indigenous Representative Body to give Indigenous peoples a voice in national affairs. The National Indigenous Representative Body would play a role in advancing the issue of constitutional reform with the Australian public.

The Government welcomes the Declaration’s apology for past wrongs committed against Aboriginal and Torres Strait Islander peoples. The historic motion of Motion of Apology to Australia’s Indigenous Peoples was delivered on 13 February 2008 as the first official business of government and was offered in a similar spirit of respect, acknowledgement and recognition of the past mistreatment of all Indigenous peoples.

I acknowledge the request in Petition No 160/259 that Canberra’s Aboriginal Tent Embassy be acknowledged as having diplomatic rights and responsibilities under international law.

I am advised that, as the Aboriginal Tent Embassy does not represent a foreign country recognised by Australia, it cannot be recognised as a foreign mission with the equivalent rights and responsibilities afforded by international convention and law.

Petition No 159/258 draws attention to the issue of Indigenous rites, lore and custom.

The Government agrees that Aboriginal and Torres Strait Islander cultures are a critical part of Australia’s national identity and that recognising them is a core element of sustaining a strong and healthy Indigenous and Australian community. The Native Title Act 1993 recognises that certain Indigenous people have rights and interests to their land by virtue of their traditional laws and customs, while the Aboriginal Land Rights (Northern Territory) Act 1976 acknowledges Indigenous customary rites and customs through grants of land in the Northern Territory.

On 9 August 2009, the Australian Government announced a National Indigenous Languages Policy to coordinate action among the bodies involved in support of Indigenous languages, including government, Indigenous languages organisations and educational and research institutions. The Policy draws on reports and consultation over many decades, including the 2005 National Indigenous Languages Survey Report and feedback through the Maintenance of Indigenous Languages and Records Program administered by the Department of the Environment, Water, Heritage and the Arts. A central objective of the new Policy is ‘Strengthening Pride in Identity and Culture’ by restoring to the extent possible the use of Indigenous languages with few or no current speakers.

The Government also supports the strengthening of other aspects of Aboriginal and Torres Strait Islander cultures. On 22 April 2009, the Government announced that it will pursue the idea of an Indigenous Cultural Education and Knowledge Centre arising from the Australia 2020 Summit. The proposed Indigenous Cultural Education and Knowledge Centre will provide an opportunity to strengthen Indigenous cultures and reinforce their significant place in Australian society.

As a first step towards establishing a Centre, an external consultant will be commissioned to undertake a feasibility study. The feasibility study will develop possible models and options for a Centre, for consideration by government. The study will gather the views of the Indigenous and broader community, relevant Australian 2020 Summit participants and existing institutions with an interest in the role and purpose of the Centre.

Thank you again for writing and bringing these petitions to my attention.

from the Minister for Families, Housing, Community Services and Indigenous Affairs, Ms Macklin

Statements

Mrs IRWIN (Fowler) (8.32 pm)—
Tonight I wish to speak about a petition which has come before the Standing Committee on Petitions and which I have just presented to the House. It illustrates something of the breadth of concerns petitioners bring to the House. This petition calls for the House to make representations to the British Crown to review the sentences and convictions of Harry Morant, Peter Handcock and
George Witton at their court martial in South Africa in 1902 and to seek their pardon.

Of the three, Morant is the best known. He gave his name to Bruce Beresford’s 1980 film Breaker Morant. Morant was a well-known figure in his own day. In his article on Morant in the Australian Dictionary of Biography, RK Todd notes that Morant’s poetry appeared in the Bulletin, where the work of Henry Lawson and other writers of the day was published, from 1891 to 1899. In 1899 Morant enlisted to serve in the war in South Africa. Todd notes that he served with ‘distinction’ before joining the Bushveldt Carbineers, one of a number of irregular units ‘formed to counter Boer guerrillas’. Handcock and Witton were also members. During their time with the Bushveldt Carbineers, Morant, Handcock and Witton were brought before a court martial, accused of the summary execution of 12 Boer prisoners. One was already wounded and 11 were killed while surrendering. They were also accused of the murder of a German missionary, the Reverend Heese, who had seen the prisoners before they were killed. Handcock and Morant were found guilty of murdering the 12 prisoners, inciting to murder and manslaughter and were executed on 27 February 1902 at Pretoria. The Dictionary of Biography entry on Handcock notes that he was the ‘first Australian national executed for war crimes’ and that ‘his sentence, which had been carried out without the knowledge and consent of the Australian government, aroused bitter public controversy’.

There have been a number of views on the actions and trial of Australians. One has been that the Carbineers were under orders from the British command in South Africa not to take prisoners. As Todd suggests, this was argued as a defence in the court martial, but the existence of this order has been constantly denied. Other factors have been seen as harmful to their case—in particular, the limited time and resources allowed them. This, and continued suspicions that there were orders to not take prisoners, has led to a perception that Morant, Handcock and Witton were, as in the title of a later book by Witton, the ‘scapegoats of the empire’. In this view the Australians were held responsible for a strategy to which the military command was unwilling to admit. However, Craig Wilcox, writing in the Age, takes another view. He suggests that in fact ‘one detachment’ of the Bushveldt Carbineers had ‘started randomly killing’ and that when Morant joined the detachment ‘he began killing too’. To Wilcox, Morant and Handcock’s guilt is ‘all too clear’ and ‘seemed clear at the time’. Wilcox doubts that the take-no-prisoner order ever existed. If so, the crimes were solely those of the men accused and the main moral question hinges on capital punishment rather than culpability.

However, there appears to be some level of agreement across these two camps that the accused men had little opportunity to prepare a defence against the charges. This petition argues that there are indeed ‘questions and concerns’ over ‘fairness, legal process and sentencing’ at the court martial, and it is on these grounds, the petition suggests, that the cases against Morant, Handcock and Witton should be reviewed.

Tonight I have tried to get two messages across. One is that petitioners bring a rich and varied set of concerns to the petitions process, and this is a sign of its vitality and importance to the House. A second, which I underscore, is that it is the role of the committee to play with a straight bat. Tonight I have argued neither for nor against the petition, but I have aired its concerns and tried to put them into perspective. That is a neat metaphor for the role of the Petitions Committee and is central to its future work for the House. I look forward to getting the response to this petition and I am sure that the princi-
pal petitioner looks forward to the minister’s response, which we hope to receive within 90 days.

Mr ANTHONY SMITH (Casey) (8.38 pm)—by leave—I am pleased to rise on this issue. The author of the petition that was just spoken about is a constituent of mine, Commander James Unkles, who has devoted a lot of time to, and done a lot of research into, this issue. He has uncovered important new material, as he sees it, and he has shown a great diligence, as I am sure the Petitions Committee would agree, in looking into the facts at the time and afterwards. His efforts have been nothing short of incredible. He is asking that what he has researched be inquired into, be examined, be reviewed, and he has, in the best traditions of the parliament, presented that as a petition to the parliament. It has already received some coverage in the media—rightly so. I want to commend him. I will in the adjournment debate later in the week in this House speak more extensively on the subject.

COMMITTEES

Intelligence and Security Committee

Report

Mr BEVIS (Brisbane) (8.39 pm)—On behalf of the Parliamentary Joint Committee on Intelligence and Security, I present the committee’s report entitled *Annual report of committee activities 2008-2009*.

Ordered that the report be made a parliamentary paper.

Mr BEVIS—Since the last annual report, which I had the privilege of tabling in this parliament just on a year ago, the committee has tabled four further reports. In addition to those tabled reports there are a number of active reviews underway. The committee has also been engaged in the course of the last year in an important continuing round of briefings and visits with the various agencies involved in national security and intelligence work on behalf of the Commonwealth. The committee has received private briefings from the Defence Security Authority. The committee has also received a private briefing from Mr Duncan Lewis, AO—well known to many members in this parliament and outside—the newly appointed National Security Adviser. The committee has also received briefings from representatives of the Office of National Assessments, the Department of the Prime Minister and Cabinet and, of course, all of the other agencies involved in Australia’s intelligence and security community.

There is one matter raised in this annual report review which is the subject of a recommendation that I should make some comment on. When the committee did its review of administration and expenditure No. 6, that draft report was provided to the agencies on 10 March 2009. It was not until some three months later that we received the final vetting letters from the relevant ministers agreeing to the details. Those provisions may not be well known by the public, or indeed around this parliament, but the act does require the committee to provide a copy for vetting by the relevant agencies to ensure that no information that might be regarded as security sensitive is inadvertently published. That is a practice that the committee endorses.

However, the delay of three months does mean that there is not a timely capacity for the committee to report its views on these matters to the parliament, and there is a recommendation, which I would commend to the government, to put in place procedures to allow those reports of the committee to be vetted within one month of their presentation to the relevant ministers. Typically, those matters that do arise, where there are issues or suggestions from agencies or ministers as to possible changes, tend not to be matters of great moment and are fairly easily dealt with,
but it does delay the capacity of the committee to report fully to this parliament when those vetting procedures take three months, as occurred during the course of the last year.

The committee during the course of the year also inquired into some matters raised in the Senate concerning intercept warrants. Concern was raised by one of the senators there about what appeared to be an extraordinarily large number of warrants being issued in Australia compared with other jurisdictions such as the United States. I would commend that section of the report to all members interested in these matters, because it provides a useful comparison and demonstrates how easily the media, the public and indeed members of this parliament can misconstrue or misunderstand simple or superficial information. I guess the easiest way of conveying that difference is to note, as the report does, that in the United States the average number of people whose communications were intercepted per order was 92—that is, 92 people had their communications intercepted on average for every single warrant that was issued. The system in Australia would simply not allow that to happen. If you multiply the US number of warrants by 92, of course, you get a dramatically different picture of what has occurred.

The committee has continued to be well served by its secretariat. I thank Robert Little and the other members of the secretariat who provide the committee with support. I also want to again thank the members of the committee. It is a pleasure to serve on this committee and it is a privilege to chair it.

Finally, I report that the committee was represented at the 2008 International Intelligence Review Agencies Conference. This is an important international gathering. It was actually started some years ago by Australia and next year will return to Australia—we will host that international conference. It saw participants last year from Belgium, Canada, New Zealand, Poland, South Africa, the United Kingdom and the United States, and hopefully next year we will see a number of other participants here in Sydney.

Mr RUDDOCK (Berowra) (8.45 pm)—I thank the chair for his comments and I thank him for his leadership in relation to this committee. It is a committee that has quite unique responsibilities. It is regarded as one in which those who have had a degree of experience around the parliament might contribute. I notice reference is made to some changes in our committee membership. Might I just note that the former foreign minister, Alexander Downer, was a member of this committee until he left the parliament fairly recently. He of course was succeeded by Andrew Robb, who is also a very senior member of the opposition. It is a matter of note that this committee is one that does deal with very sensitive and difficult issues.

As one who has had the responsibility in a previous life of supervising the issue of warrants for security purposes, I commend the chair for taking up, first, the issue of intercept warrants. I know that proposals are not lightly advanced, nor is approval given, unless it is clearly warranted. Senator Ludlam tried to bring the interception process, which is fundamental to investigating organised crime as well as protecting the safety and the security of the Australian community, into disrepute by comparisons which bear no examination. Senator Ludlam commented that Australian citizens are vastly more likely than citizens of the United States to have their telephones tapped by various agencies. As the chair outlined, a fairly rudimentary examination of the Australian data with the way in which it is kept in the United States of America would seem to me to indicate that you are five times more likely to be the subject of an intercept in the United States of America than in Australia. And the
data indicates that the American warrant system, which enables multiple intercepts off one warrant, translates into approximately 170,000 individual authorisations under the Australian system. When you look at the Australian figures, which vary between 3,000 and 3,500, you can see how the assertion that was made was quite flawed.

But the committee has been dealing with some other issues. One that was quite contentious for the committee in its consideration related to issues of parliamentary privilege. When the committee was advised by a presiding officer that documents might be sought by the Australian Federal Police in relation to inquiries that they were undertaking, there was this question as to whether or not documents of the committee should be made available for police investigations. I think people would want to know that the committee took this matter very seriously and received advice from the Clerk of the House of Representatives as well as from the Clerk of the Senate. While in the end the committee had no objection to the documents being sought being made available there was a very careful consideration of that issue.

Finally, might I say that the committee has had a very active program, and the report outlines that. I am privileged to be the deputy chair of the committee and I might say that the continuing scrutiny of these matters by people who are vitally interested in them should reassure the Australian public.

Intelligence and Security Committee Report

Mr BEVIS (Brisbane) (8.49 pm)—On behalf of the Parliamentary Joint Committee on Intelligence and Security, I present the committee’s report entitled Review of the listing of Al-Shabaab as a terrorist organisation. Ordered that the report be made a parliamentary paper.

Mr BEVIS—One of the regular functions of the committee is to look at proposed listings and relistings of organisations. As the member for Berowra just noted, it is an important function that all members of the committee take particularly seriously. The implications of listing do have impacts, potentially, on Australian citizens and we look carefully at these matters.

As this and other reports have identified there are a number of considerations that the committee takes into account. These reflect considerations that ASIO itself takes into account, which of course do not replace the requirements of the act but are nonetheless useful tools that we and the committee, in previous parliaments, have adopted. One of those considerations is whether or not the organisation in question has been involved in peace and mediation processes. The committee found no evidence whatsoever to support the view that al-Shabaab is involved in any peace or mediation processes—indeed, far from it.

The al-Shabaab organisation has been involved in a significant list of terrorism related activities, a number of which are documented in the report. I will mention just one. On 13 April this year, al-Shabaab claimed responsibility for an attack on which an aircraft carrying a United States congressman came under mortar fire when departing Mogadishu airport. There are a number of examples of those sorts of attacks on African Union military bases and on the use of improvised explosive devices, and the kind, from an organisation that publicly proclaims its commitment to terrorist related events.

In August 2008, al-Shabaab released a video by al-Qaeda in East Africa network operative, Saleh Nabhan, in which an al-
Shabaab spokesperson and Nabhan appeared together. In the video, Nabhan pledged allegiance to Osama bin Laden, encouraged Muslim youth everywhere to go to Somalia to wage jihad and was shown instructing recruits at an al-Shabaab training camp in Somalia. I think by any reasonable test al-Shabaab certainly complies with the provisions set out in the act.

There is one matter that I should report to the House on in respect to this listing. Members would be aware that in August of this year five people were arrested in Melbourne and charged with offences arising out of an Australian Federal Police investigation. There were some concerns to be addressed to ensure that the proceedings we were embarked upon did not in any way impact on those court proceedings. Assurances and advice were sought by committee members in respect of that matter. The Attorney-General’s Department advised:

This listing has nothing to do with assisting us to prove the charges with which we have charged these people. Where the listing is important is the potential for the need for the legislation in relation to other people in the future.

The committee quite properly sought to ensure that its consideration of this matter, both its timeliness and its substance, did not in any way affect an ongoing matter before the courts and received those assurances from the Attorney-General’s Department. Accordingly, the committee does not recommend the disallowance of the regulation listing al-Shabaab as a terrorist organisation.

I again place on the record my thanks to the committee members and the secretariat for the work they have done in reviewing these matters. I guess it is true to say that some of these are more taxing than others when looking at the detail, background and implications. I am quite sure that the overwhelming majority of Australians would share the view that the committee presents here that supports the listing and does not recommend the disallowance of al-Shabaab as a terrorist organisation.

Mr RUDDOCK (Berowra) (8.54 pm)—I endorse the comments of the chair of the Joint Committee on Intelligence and Security in relation to the listing of al-Shabaab. It should be noted that Australia does have, through our refugee and humanitarian program, a significant number of people who have settled here from Somalia. In relation to the listing of this organisation, it was a matter of very substantial concern to me that there were five people arrested in Melbourne and charged with offences arising out of a police investigation known as Operation Neath. The main charges were conspiring to do acts for preparation of a terrorist act contrary to the criminal code and aiding and abetting in the commission of an offence against the Crimes (Foreign Incursions and Recruitment) Act, and that was by another person to undertake armed hostilities in Somalia and undertaking preparations for incursions into a foreign state, namely Somalia.

 Properly, the committee did raise the issue as to whether or not proscription of this organisation at this time might, in relation to these proceedings, prejudice them. I was pleased that the Attorney-General’s Department was able to point out that none of the charges related to membership of a terrorist organisation and listing would not make it easier for the Commonwealth to prove its case. In fact, I think we were further advised that it was preferable that the proscription proceed as early as possible to separate it from proceedings when they may be brought. It was a relevant issue of course in relation to another matter that the committee had to examine in this report—that is, links to Australia. The report noted that the statement of reasons does not refer to any links between al-Shabaab and Australia, but it goes on to
say that it is well known that recent terror suspects have been reported as linked. While the organisation itself denied it, the committee noted that these matters will become the subject of consideration in the judicial proceedings.

The chair mentioned in relation to al-Shabaab that there was a great deal of information about it that is made available on the public record. I refer to another paragraph in the report that notes that the organisation that examines these matters, namely ASIO, the Australian Security Intelligence Organisation, checks that those publicly available details are accurate and reliable and have been corroborated by classified information. I mention that because there are other inquiries which we are conducting where people believe that it is merely a matter of finding information on the web and that is sufficient. I just want to make the point that the fact that information is publicly available is not sufficient in itself without the further corroboration.

Al-Shabaab, formerly the most prominent of the militia groups comprising the militant wing of the Council of Islamic Courts, is seen as an organisation that is involved in insurgency in Somalia and elements support the global ideology of violent extremism. I note that the report itself lists terrorist activities—three events in 2009 and seven events in 2008—and statements that clearly demonstrate that the organisation has militant intentions to continue an insurgency and has demonstrated that it is directly preparing, planning, assisting and fostering the doing of terrorist acts. These inquiries demonstrate very clearly that this is an organisations that we would not want Australians to be associated with and, if they are, it would be likely to pose a risk not only to the broader international community but in the longer term to Australians. I think the proscription was the correct decision for the government to take and I am pleased that the committee was able to review the matter and to confirm that it was an appropriate course.

**Climate Change, Water, Environment and the Arts Committee**

*Report*

Ms GEORGE (Throsby) (9.00 pm)—On behalf of the House of Representatives Standing Committee on Climate Change, Water, Environment and the Arts, I present the committee’s report entitled *Managing our coastal zone in a changing climate: the time to act is now*, together with the minutes of proceedings and evidence received by the committee.

Ordered that the report be made a parliamentary paper.

Ms GEORGE—The title of our report, *Managing our coastal zone in a changing climate: the time to act is now*, sums up the key themes and directions that emerged from lengthy consideration following the receipt of terms of reference from both the Minister for Climate Change and Water and the Minister for the Environment, Heritage and the Arts. I know that many stakeholders have waited a long time for the report and its considerations, but I think the time we spent was time well spent. In my view and the view of the committee, this is a very timely report.

Much to our surprise, it generated a lot of interest and engagement, with over 100 written submissions and 180 exhibits. There were 28 public hearings held around Australia, with over 170 witnesses appearing. We also undertook nine site inspections of coastal areas known to be vulnerable to climate change, including the Great Barrier Reef, the Gold Coast, Moreton Bay, Mandurah, Busselton and Kakadu.

The report focuses on three major themes. The first one is climate change impacts on the coastal zone. We have drawn on the work of eminent Australian scientists in highlight-
ing the risks from extreme weather events and projected rising sea levels. Australia’s vulnerability is exacerbated because of the concentration of population and infrastructure along the coast. Early planning and appropriate adaptation strategies are encouraged, drawing on important data available from the Department of Climate Change and a range of impressive scientific, academic and research bodies.

We looked at the environmental impacts on the coastal zone, another term of reference, in some detail in chapter 5 of the report. We provided many examples of how population growth and resulting intensification of land use are increasing pressures on our precious environment and on Australia’s biodiversity. The responsibility for coastal land use planning rests with state governments, with devolved responsibility given to local government authorities. We make numerous recommendations which we hope will ensure the sustainability of the nation’s coastal zone, which is, without doubt, one of our most highly valued natural assets.

On the third major theme—governance arrangements for the coastal zone—there are a series of practical recommendations in response to the unanimous call from all stakeholders for the need for national leadership on this critical issue. At the heart of our proposals is a new COAG intergovernmental agreement on the coastal zone overseen by a new ministerial council. This would replace the complex and highly fragmented arrangements that currently apply across jurisdictions, sectors and agencies. In the foreword I state my personal view that I am optimistic that the Rudd Labor government will indeed meet that national challenge. Many of the initiatives already undertaken by the Department of Climate Change head in that direction. The soon to be released first-pass national coast vulnerability assessment is eagerly awaited by all stakeholders.

The committee decided to devote a whole chapter of the report to key emerging issues. We make several recommendations dealing with insurance and legal matters and how our planning schemes can better respond to projected climate change impacts. The vexed issue of insurance cover in vulnerable coastal areas is a matter we recommend be referred to the Productivity Commission for further investigation and consultation with the industry.

Uncertainty about legal liability and associated matters was one of the issues most frequently raised in evidence to the committee, particularly by local government authorities. In that regard, the committee has recommended that the Australian Law Reform Commission undertake an early inquiry into the liability facing public authorities and property owners in respect of climate change.

The committee’s 47 recommendations to government go to the heart of how national leadership can be provided in a collaborative framework with state and local governments and how we can better engage the community in this endeavour. I thank the committee members and the deputy chair, the member for Moore, for their bipartisan support on an issue of such national importance. (Time expired)

Dr WASHER (Moore) (9.04 pm)—It is a pleasure to follow the member for Throsby. This report from the House of Representatives Standing Committee on Climate Change, Water, Environment and the Arts—it was the House of Representatives Standing Committee on Environment and Heritage—entitled Managing our coastal zone in a changing climate: the time to act is now is an epic piece of work. I am getting advice from the chair of the committee, as you should.

I want to acknowledge some of the people in here who have participated. If you do not
mind, Mr Deputy Speaker Scott, I will mention their names: I can see the member for Petrie, Yvette D’Ath; Mark Dreyfus, who is to be an honourable I hope one day soon, from Isaacs; Julia Irwin, the member for Fowler; my good friend the honourable John Murphy from Lowe; and you, Mr Deputy Speaker Scott. They were all part of this committee. I want to thank them for the work they put into this and the expert advice. I want to particularly mention the two good-looking ladies over there: Julia Morris and Kate Sullivan. Kate was with us all of the time. Dr Kate Sullivan, thank you very much for what you did to make this go.

I do not want to talk too much about this because everyone should come along to the committee later to hear what a great piece of work this is. I am not going to take away too much of the sunshine, but I do want to say that 80 per cent of our population live in the coastal zone. The population is projected to reach 35 million—and it is probably underestimated—by 2047. I think that is worrying, for all of the reasons we have got here, if we are all going to live in that same zone.

Rising sea levels are real. Professor Kurt Lambeck, who is one of the world’s experts, certainly looked at it. There is no doubt that the sea level gone up 160mm in the last 100 years. That was the overall global average, so it was bigger in some areas. In the first 50 years the global annual average rise was one millimetre. In the 40 years after that, the global annual average rise was two millimetres. In the last decade the global annual average rise has been over three millimetres, so some areas are worse than that.

The time to act is now. If you go around our coast and have a look, which we did, in reality there is little of our coast left. It has all got groynes or sandbags, or they are pumping sand. It is a disaster. It is washed away, and that is the reality. So climate change is absolutely real and a vital issue. I do not think the chair, the member for Throsby, mentioned it, but 2012 is going to be the Year of the Coast, so let us make that a great year. Jennie, I think that is going to be a good year, right? It is really important.

So now all we have to do is get a national standard in place to work out our benchmarks—what we predict for the future. Because the sea level has gone up so much in the past and it is rapidly escalating, we really need to put that in place. I guess 0.8 metres is probably as good as it gets, but, anyway, you have to be convinced by the science.

The committee has previously done the Sustainability for survival: creating a climate for change report in 2007 and the Sustainable cities report in 2005. Sadly, for this parliament, neither of those reports has been acknowledged, accepted, or its recommendations responded to by either the previous or the current government. That, I think, is very sad. We need all levels of government to be involved.

This inquiry saw great participation from the most important people out there, our constituents. That is what makes the committee system so valuable. The committee had over 100 written submissions and 180 exhibits, heard from 170 witnesses, held 28 public hearings around the country and, in its report, made 47 recommendations. That is true democracy, but sadly this parliament has forgotten what that is about.

The DEPUTY SPEAKER (Hon. BC Scott)—Does the member for Throsby wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Ms GEORGE (Throsby) (9.09 pm)—I move:

That the House take note of the report.
The DEPUTY SPEAKER—In accordance with standing order 39, the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting.

Climate Change, Water, Environment and the Arts Committee

Report: Referral to Main Committee

Ms GEORGE (Throsby) (9.09 pm)—I move:

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

Question agreed to.

PRIVATE MEMBERS’ BUSINESS

United Nations Day

Ms PARKE (Fremantle) (9.10 pm)—I move:

That the House:

(1) notes that the 24 October is United Nations Day, celebrating the entry into force of the United Nations Charter (UNC) on 24 October 1945;

(2) celebrates Australia’s key role in the formation of the United Nations and the drafting of the UNC;

(3) recognises that Australia has been a consistent and long term contributor to United Nations’ efforts to safeguard international peace and security and to promote human rights, for example, by being the thirteenth largest contributor to the United Nations’ budget; by contributing to many United Nations’ peacekeeping operations; and by firmly committing to increasing Australia’s development assistance and seeking real progress towards the Millennium Development Goals;

(4) notes further the Australian Government’s commitment to the multilateral system as one of the three fundamental pillars of Australia’s foreign policy; that Australia is determined to work through the United Nations to enhance security and economic well being worldwide; and to uphold the purposes and principles of the UNC;

(5) notes that as the only truly global organisation, the United Nations plays a critical role in addressing the global challenges that no country can resolve on its own and that Australia is determined to play its part within the United Nations to help address serious global challenges, including conflict prevention, international development, climate change, terrorism and the threat posed by weapons of mass destruction;

(6) notes also Australia’s commitment to, and support for, reform of the United Nations’ system in order to ensure that the organisation reflects today’s world and is able to function efficiently and effectively; and

(7) reaffirms the faith of the Australian people in the purposes and principles of the UNC.

Last Saturday, 24 October 2009, was United Nations Day, which is an annual celebration of the entry into force of the United Nations Charter on 24 October 1945 and of the role of the UN and its constituent member states in safeguarding international peace and security, eliminating poverty and promoting human rights. Tonight I come directly from the annual UNICEF Parliamentary Association function, which was well attended by members and senators from all parties. The guest speaker was the head of UNICEF’s global HIV-AIDS division, Jimmy Kolker.

Last month we also celebrated the inaugural dinner of the new UN parliamentary group with guest speaker the Hon. Robert Hill, former Australian Ambassador to the UN, who was recently elected as the new president of the United Nations Association of Australia. I take this opportunity to congratulate Mr Hill on his election and to pay tribute to outgoing UNAA President Professor John Langmore, a tireless advocate for the United Nations. At last month’s dinner we also heard from Richard Towle, the regional head of UNHCR, and Chris Woodthorpe, the new director of the UN Information Centre here in Canberra.
I note that two of the objectives of the United Nations as set out in the preamble to the UN Charter are as follows:

- to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and
- to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained …

Unfortunately, despite our key role in the articulation and adoption by the UN of the body of international human rights law, Australia has never fully incorporated our own international obligations into domestic law, and we remain the only advanced nation in the world with no charter or bill of rights.

To those who say Australia does not need a charter of rights, the report of the National Human Rights Consultation points to numerous unfortunate cases in this country’s recent history, including Al-Kateb, Cornelia Rau and Dr Haneef. There are also many less-well-known cases involving Australia’s elderly, persons with disabilities and people living in rural and remote areas who have not been treated with dignity by institutions and agencies of the state or those acting on its behalf.

Last Monday, I received from the Deaths in Custody Watch Committee of WA a petition regarding the death on 27 January 2008 of a much loved and respected Aboriginal elder from the Warburton community in WA, Mr Ward. Mr Ward died of multiple organ failure caused by heatstroke after being transported 360 kilometres, from Laverton to Kalgoorlie, for three hours and 45 minutes in the back of a prison van with no air conditioning or ventilation on a day with outside temperatures over 40 degrees. The state coroner noted deep burns on Mr Ward’s abdomen from contact with the boiling metal of the van’s floor and found that Mr Ward had ‘suffered a terrible death while in custody which was wholly unnecessary and avoidable’. The van was operated by government contractor GSL Custodial Services, now G4S, a company that continues to carry out prisoner transport services for the WA Department of Corrective Services.

This appalling event took place a mere 18 days before the national apology to Australia’s Indigenous peoples and 107 years after Labor member for Coolgardie Hugh Mahon moved a motion in the first year of the federal parliament calling for a royal commission into the conditions for Aborigines in northern Western Australia and into the administration of justice in the lower courts of Western Australia as it affected Aboriginal people.

There is a striking similarity between Mr Mahon’s motion of 1901 and the petition by the Deaths in Custody Watch Committee of WA presented to the parliament last week which called for, inter alia, a review of the standards within the criminal justice system and an inquiry into the extreme overrepresentation of Indigenous Australians in that system. That we could be here 108 years after Mr Mahon’s motion still speaking of the same issues is shocking and shaming.

There could be no greater repudiation of the treatment of Mr Ward and others who have suffered terrible injustice, and no greater celebration of shared UN and Australian principles—concerning the dignity and worth of the human person—than Australia’s adoption of a human rights act.

Far from being a law for the elites, as it is often characterised, a human rights act would be a law for the ordinary person, for the weak and the powerless vis a vis the state and those acting—sometimes in a criminally negligent fashion, as we have seen—on the state’s behalf. A human rights act would be the very embodiment of the ‘fair go’ princi-
ple that is embedded in our national character and, I suggest, in the UN Charter. This is an opportunity that Australia cannot allow to pass by. Carpe diem.

The DEPUTY SPEAKER—Is the motion seconded?

Mr Sidebottom—I am very happy to second the motion and reserve my right to speak.

Mr SIMPKINS (Cowan) (9.15 pm)—Australia has a long and proud history with the United Nations, having been a founding member in 1945. I can say confidently that this nation has always had a strong regard for the United Nations. We have been well represented as a member of the Security Council on four occasions—1946-47, 1956-57, 1973-74 and 1985-86—along with being a founding member and an active participant on many UN agencies. Australia has been a full participant in the United Nations.

I would like to mention the underlying principles and purposes of the United Nations. Firstly, it is to maintain international peace and security, to develop friendly relations and to achieve global cooperation. Collectively as a nation, or individually, Australians have made a great contribution to the United Nations. For example, Dr Evatt in 1948 was elected third President of the General Assembly and was the first chair of the UN Atomic Energy Commission; and Mr Makin in 1946 was the first President of the Security Council. There are quite a number of Australians that have made a contribution to the United Nations. For example, Dr Evatt in 1948 was elected third President of the General Assembly and was the first chair of the UN Atomic Energy Commission; and Mr Makin in 1946 was the first President of the Security Council. There are quite a number of Australians that have made a contribution to the United Nations. We only need to look back very recently to East Timor and the proud contributions that Australia has made to INTERFET, UNOTIL and UNMIT, and a number of contributions that we have made collectively there in the best interests of the people of East Timor.

I note the member for Fremantle, in making her contribution regarding the United Nations, made mention of a bill of rights and how that is a shortcoming—a limitation—of this country. I think of it differently. I have great confidence in the systems and laws that exist in this country. When you look at places like Western Australia, with which I am obviously most familiar, there is a certain lack of confidence in people in the decisions of some magistrates and judges in Western Australia. Although that might be limited to issues to do with the criminal justice system in Western Australia, I think there will be a great cause for concern for the people to want to surrender a certain amount of interpretive power, in the future, to judges—given that there have been plenty of occasions where justice has not been well served—particularly when people tend to trust the running of the country to those that are directly elected. I think it is an important point to make. We should not be second-guessing and handing over power to unelected officials that can then reinterpret the law away from what the people’s representatives—the elected representatives of this nation—would want.

Australia has had a great history within the United Nations, having been there right from the start. It has been a full participant in the agencies of the United Nations, making contributions—whether financially or in the way of peacekeeping forces—through the history of the United Nations. We have been there. Australia has made an excellent contribution. In the same way that we have a sense of regard for this great and important multilateral organisation, there have also been times when there has been a certain limitation in the ability of the United Nations to act in the right way. We have seen that not every decision by the UN has been a positive one or fairly applied and that it has not delivered justice on every occasion. We need to acknowledge it as a great organisation for the
world but there are certain limitations that we must never lose sight of.

Mr SIDEBOTTOM (Braddon) (9.20 pm)—Opponents have labelled the UN irrelevant—a geriatric 64-year-old overdue for retirement and ready for a pension. Indeed, some letters to the editor—even in my electorate of Braddon—call it a dire threat to civilisation and individual national sovereignties and indeed a global plot to usurp the nation state. For supporters, on the other hand, it is the continued hope for the future and its best years lie ahead.

I am sure we are all aware in this House that extremes never demonstrate the real truth, for, to write up the UN too much regarding its success or to write it off too soon after its failures is to do little but exaggerate. If one goes by the letter and spirit of the UN Charter, which came into force on ratification by a majority of signatory nations on 24 October 1945, multilateralism under the United Nations has been—and will remain—the most effective international organisation to lead the international system from anarchy to order based on international law and from dominance by hegemony to international democratic governance. Multilateralism a la carte has been a feature of some major and middle-power nations, particularly parallel the neo-conservative’s regime of the Bush years—and during the Howard regime in Australia between 1996 and 2007—whereby there was a resort to multilateralism when it suited their interests and they spurned it when it did not.

Other choices have been unilateralism, bilateralism, regionalism or a device like the coalition of the willing. The true nature of the crisis or major challenges facing the UN, I suspect, are not so much the so-called new threats to international security, for example, those posed by genocide, ethnic cleansing, other large-scale violations of human rights, terrorism, transnational crime, climate change, environmental threats, poverty, rogue nuclear arms activity, pandemics and others. Nor, I would argue, is there no international consensus on the nature of threats to security, most notably collective security, or on the methods to meet these threats. Nor is it about the failure of the UN to adjust to the existing global power structure. It should be the global powers that should adjust to the body of international law and commonly shared human values underpinning the UN and embodied in the UN Charter. I believe the real crisis is, according to Muchkund Dubey, the former Foreign Secretary of India, well worth reflecting on:

The real crisis is that the more powerful among the Member States now want to go back on this body of international law and on these common values, and are bent upon continuing to turn a blind eye to the obvious inequities and imbalances in rules and regimes which govern international relations. The crisis lies in these countries having put themselves beyond the pale of some of the key instruments and frameworks of multilateral control, surveillance and constraints. The crisis lies in their preference for ‘exceptionalism’ or ‘exemptionism’ or for ‘multilateralism a la carte’. The crisis does not so much lie in occasional paralysis in decision-making, but in the built-in system of unequal decision-making and decision under pressure based on the exploitation of the vulnerability of the weaker Member States.

The Australian government, I suggest, has an obligation to our people, our region and our planet to strengthen the multilateral, rules based system. It does not have the right to tear it down along with others. Nor does it have the right to stand idly by in the name of some brave new unilateral world whose central organising principle is an ill-defined unilateralism with a nondescript moral purpose. The Australian government has instead a duty to help build up the rules based system given it does not argue for any alternative system. This is the mark of true statesman-
ship rather than the stuff of rank politics. Indeed, those are the very words of our current Prime Minister issued on 25 April 2005 to the UN Association of Australia and the Australian Institute of International Affairs. I am glad there is a new regime in Australia with its attitude to the UN and I am glad there is one worldwide. Multilateralism is the best of a more positive evolving system, not unilateralism and not multilateralism a la carte.

Mr OAKESHOTT (Lyne) (9.25 pm)—I am having a good night on the crossbenches. I heard a debate before this one in regard to coastal issues, which is a very local issue in an electorate such as Lyne. It was an excellent report supported by both sides of the chamber through the member for Throsby and the member for Moore. And now I am hearing some good bipartisanship on the significance of the international arm of the work of members of parliament through the bipartisan words of the member for Fremantle, the member for Cowan and the member for Braddon. I say thank you to everyone for allowing a parliament to do its good work.

The UN is important and, as I have mentioned, it is an important part of what a local member of parliament does. There is a saying in this place that all politics is local. That is right to some degree but I do believe the work of the United Nations is a part of the role of a local member of parliament. All of us have a role in bringing the international into our local electorates and engaging with our communities on the important work of the United Nations and the many arms of work it is involved in—and vice versa. I think we have a responsibility with many of the local issues such as Indigenous issues and gender based violence, to pick just two examples, to feed up many of those important local issues from our electorates through to the international domain. We are not playing our roles as local members of parliament unless we are engaged in organisations such as the United Nations. It does therefore have an important role and that is why I am more than happy to speak in support of this motion. In my first speech in this place I talked about the local, national and international role of members of parliament. I said that quite purposely to place a marker to say that I am not one who is willing to give rough trade to the work done by the United Nations as mentioned by the previous speaker.

It has always left me somewhat bemused why the United Nations does not have the reputation in Australia that it has in many other parts of the world. I am not sure whether it is because we have a great big moat around the country which at times can mentally disengage us with many of the world issues. I am not sure whether it is because there are only two full-time staff of the United Nations that actually work in Australia. I am not sure whether it is the history of defining ourselves by the superpower of the moment, the UK or the US, rather than defining ourselves by the advantages of multilateralism and working as a global unit rather than whoever is the superpower of the moment. I think the politics in Australia to date has been somewhat of a hard sell. But I would hope all members in this chamber, regardless of political persuasions, do not take the easy path. That is why motions such as this one are important. It is the easy path to run on the simple sentiments about the United Nations rather than doing the heavy lifting and actually selling the good work that the United Nations does.

I would love terms in Australia such as the Millennium Development Goals to be much more widely known. It is the role of many of us in this chamber to sell those terms and engage with communities on the importance of those terms and allow the communities to get angry about why many of those Millennium Development Goals are failing, par-
particularly in the Asia-Pacific region. For that reason, in the Mid North Coast, we have tried to do some of that heavy lifting and last month set up a United Nations Association of Australia branch. It is unchartered waters and it will be difficult but I would hope it is an example for the many members of parliament in this place who do not have a UNAA branch in their local area. From an area which normally does not talk world affairs it was fascinating to sit in on the first meeting of about 20 who turned up. We covered topics from climate change to Indigenous issues to gender based violence and it was great.

Debate interrupted.

**ADJOURNMENT**

_The Speaker—Order! It being 9.30 pm, I propose the question:_

_That the House do now adjourn._

**Kent Street Senior High School**

_Mr Irons (Swan) (9.30 pm)—The Kent Street Senior High School held a dinner on Saturday night, which I attended, to celebrate 30 years of aviation at the school. Aviation was first introduced into the school curriculum back in 1979. It was a single class and comprised 27 year 11 students, many of whom had come from outside the school catchment area to attend this inaugural course. Mal Yeo, who did a presentation at the dinner, is generally considered to be the driving force behind the inception and initial success of the program. The dinner was held at Tompkins Park function centre in Melville and many past students, teachers and parents attended the night, even some from overseas. The evening was ably MC’d by Kevin Bennett and I noticed Bill Prince from the Kentian Society was there along with representatives from the education department. It was good to see Senator Glen Sterle attend the night as he has a nephew at the school._

Before the Aviation program could start, there were a few things that had to happen. In 1978 the Board of Secondary Education approved aeronautics as an upper school subject. The WA Department of Education and Training advanced $600 to establish the program at the school but, more importantly, the Commonwealth Schools Commission provided an innovation grant of $14,000. The first aeronautics class commenced in 1979. It comprised students from several schools including two from overseas. Only two girls were a part of this inaugural class, with 25 boys.

Fundraising has always been a part of the aviation program and the program would not exist without funds raised by the students, parents, staff and community members. All funds raised during these events went towards the purchasing of equipment for the students. In 1994, Joan Terry, the wife of the late Paul Terry, donated an aircraft hangar valued at $100,000.

In 1987 the school had received over 70 applications by grade 7 students, so the program was opened up in the following year to the lower school classes. By the time the program had been in place for 14 years, the Commonwealth government approved funding for a new aviation centre. This took the program to new heights. One of the activities organised for the students passionate about air travel was an ‘aviation weekend extravaganza’ to Beverley and Northam. Here students got to experience gliding, hot-air ballooning and powered flight. Ansett Australia were also good supporters of the program, and in 1999 they provided students with the opportunity to participate in ‘jump-seat’ flights. Later Skywest signed up to help the students of Kent Street and work experience placements were offered.

Another key partnership the Kent Street Aviation program made was with Edith
Cowan University in 2000. They joined forces to jointly promote aviation education in WA. This led to aviation being identified as one of 11 courses of study to be trialled in schools in 2004. A year later, for the first time in history, aviation became a TEE equivalent subject and a welcome option for many year 12 students. Swan TAFE and Kent Street Senior High School are currently in negotiations for year 11 and year 12 students to undertake VET in schools Certificate I and Certificate II courses during 2010.

The plan now is for the school to continue on with the aviation program, and planning is currently being done for the 2010 Oshkosh air show. As it stands now, the school owns and operates two training aircraft. Students are currently in the process of building the fourth student aircraft using school facilities. Previous student-built aircrafts have been sold around the state for private use. Other activities such as watching the annual Red Bull Air Race on the South Perth foreshore, visiting the Avalon Airshow and exploring the RAAF base are all experiences had by the students in the program.

Graduate student feedback has established that being able to fly planes during school time has been the key to their success in the aviation field. Each year the parents organisation has successfully lobbied for the funding to cover the cost of these familiarisation flights, but they have been unable to get a long-term commitment. Kent Street would say that this program has demonstrated enormous benefits to the community and that the federal government should fund this program with an ongoing commitment of $50 000 per annum.

Kevin Bennett, Kent Street’s aviation guru, has done a tremendous job with the support of Kent Street High School’s principal, Rod Beresford. I congratulate both men and would like to take this opportunity to acknowledge all the other teachers, staff, students and families who have supported the aviation program over the last 30 years. Congratulations to Kent Street Senior High School.

Gas Industry

Mr HALE (Solomon) (9.35 pm)—Tonight I would like to outline the importance of the gas industry to the future economic growth of Australia and, particularly, to the Northern Territory and my seat of Solomon. Honourable members will be aware of the Gorgon announcement that has committed $43 billion to develop a liquefied natural gas project located on Barrow Island off the West Australian coast. While it has been some 30 years in the making, this announcement is the precursor to a huge surge in investment in Australia’s natural gas resources. One of those investments was announced last year when Inpex and Total selected and announced Darwin as the site for the onshore processing plant for Ichthys gas field development in the Browse Basin. I always look forward to the regular project updates I receive by the Inpex team, including Managing Director Seiya Ito, Sean Kildare, Tim Langmead and Nigel Wilson. I acknowledge their contribution to my speech tonight.

The Australian Petroleum Production and Exploration Association are confident that Australia will be exporting up to 60 million tonnes of LNG a year by the end of the next decade. That will be a fourfold increase on current LNG exports which, according to ABARE, last year contributed more than $10 billion to Australia’s earnings from overseas. It is not hard to accept APPEA’s view that reliable, secure and competitively priced energy is crucial for Australian households, industry and the economy. Within this framework, oil and natural gas play a key role in meeting many of our energy needs.
As the Minister for Resources and Energy, Hon. Martin Ferguson, said in his address to the CEDA Energy Overview earlier this month:

As the developing nations of the world—led by China and India—continue to modernise, demand for resources and energy supplies will continue to grow, providing Australia with great opportunity.

As China and India lift hundreds of millions of people out of poverty, global demand for LNG is forecast to triple by 2030. Australian gas can secure Australia’s future as a global energy superpower by enhancing energy security at home, building energy security for our trading partners, giving our neighbours a cleaner, greener fuel and driving Australia’s economic growth. In developing our LNG industry, we are giving our trading partners a transition fuel for a low-carbon economy. After all, LNG produces about half the greenhouse gas emissions of coal when used for electricity.

Considering that Australia did not begin exporting LNG until 1989, the industry has made giant strides. Australia is now the third largest LNG supplier in the Asian region and the fifth largest global supplier. The potential is to become the second largest global supplier by the end of the next decade. In my own electorate the evidence of that potential is very clear. Not only is Darwin LNG producing and regularly loading LNG tankers for Japan; we also have substantial activity associated with the development of the Ichthys project in the Browse Basin which is being considered for development by Inpex. It is true to say this will be one of the most challenging LNG developments anywhere in the world.

About nine years ago the Ichthys reservoir in the Browse Basin first demonstrated its potential. Since then, the reserves estimates have grown significantly and provide the basis for a world-class LNG development. Inpex and its partner Total are now in the front-end engineering and design phase of a project that is likely to result in more than $25 million being invested. That figure is not insignificant; it represents about two-thirds of the aggregate Japanese investment in Australia last year. And, while on the significance of Japan as our largest LNG trading partner, I am delighted to see that the hard-working Minister for Trade, Simon Crean, is currently in Japan and will address the 47th Australia-Japan Joint Business Conference. The visit is the first by an Australian minister since Japan’s historic change of government following elections earlier this year. Mr Crean will hold the inaugural trade ministers’ dialogue with his Japanese counterpart and with other senior Japanese government ministers.

The Inpex project is very important to the Northern Territory. It is expected to create some 3,000 jobs during construction and 700 during operations and it may extend more than 40 years. That, of course, makes Darwin and the NT vitally important to achieving the national objectives. And I can assure the House the people of my electorate are excited about this opportunity.

Mr Charles Copeman AM

Mrs BRONWYN BISHOP (Mackellar) (9.40 pm)—I rise tonight to pay tribute to a distinguished Australian, Charles Copeman AM, who last week was inducted into the mining hall of fame in Western Australia. The Australian Prospectors and Miners Hall of Fame, in partnership with BHP Billiton, hosted a dinner in Perth last Thursday to honour the five inductees, of which Charles Copeman was one.

Charles Copeman was a director and CEO of an Australian mining company, Peko-Wallsend Ltd, which in 1983 took over a public company, Robe River Ltd, which held 35 per cent of the Pilbara based Robe River
mining and shipping joint venture. It was one of the largest iron ore producers in the world but was unprofitable as a result of being massively overmanned and dominated by union activism, which resulted in restrictive workplace agreements that Peko assessed would not be endorsed if brought before the Industrial Relations Commission. Charles Copeman was and is a man of courage who determined to see the company become profitable, and that meant getting rid of 284 restrictive work practices, such as the infamous shortage of ice-cream flavours and, more seriously, not permitting the use of mechanical rope-handling machines for loading ships of up to 250,000 tonnes but instead requiring the ropes to be manhandled. This was both costly and unsafe.

In 1986 Charles Copeman and Peko-Wallsend stood up to the unions and, with great courage, stood fast in an heroic battle to rid the industry of bullyboy union rorts, profit-destroying strikes, unfair Industrial Relations Commission orders and a management intimidated by the unions. A mammoth five-week strike ensued, and the president of the iron ore mining unions association, Mr Jack Marks, claimed publicly that the aim of the strike was to destroy Peko. The strike was finally resolved with no tangible gain to the unions; the mines had continued to operate. At the end of the strike, it became apparent that the strikers did not have a monopoly on the means of production and, of the nine matters taken to the Industrial Relations Commission on appeal to the Western Australian Supreme Court, Peko won eight and could, in Charles Copeman’s words, live with the ninth. Robe River had first doubled and then tripled production.

Other companies in the Pilbara remained nervous and only followed the need to reform slowly. They were fearful of the unions and of negative publicity. But one by one they realised that they could not ignore the need to embrace reform in industrial relations. Rio Tinto’s Hamersley took until 1993 to embrace individual contracts under Richard Court’s state government reforms. BHP took until 1999 to realise that it too had to reform its management and move to individual agreements. Once reform was embraced, profits, productivity and production all rose markedly. The reform process continued until 2008, when the current Labor government turned back the clock and dealt unions back in.

But the legacy of Charles Copeman cannot be wiped out. His stand was a watershed; it toughened management and began the road to reform. To quote Stuart Wood, a Melbourne barrister specialising in industrial relations:

He—

Charles Copeman—
carved out a space in which the companies could begin to open the dialogue between management and workers without the interference of the arbitration system and the unions.

Charles Copeman was appointed a Member of the Order of Australia in 1999 for his achievements in the mining industry. But, for the formal record, Charles Copeman is also a Queensland mining engineer, a Rhodes scholar and a Harvard Business School graduate. His mining executive career has been based in Broken Hill, Sydney, Quebec, London and Iran. He was employed by Rio Tinto, Consolidated Goldfields and Peko-Wallsend, where he was director and chief executive. More recently he has been a non-executive director of QBE, Sims Metal, Mosaic Oil and the Australian Doctors Fund. He has been president of the Australasian Institute of Mining and Metallurgy, president of the labour relations adviser Australian Mines and Metals Association and a vice-president of the Australian Mining Industry Council. He has been a member of the council of the
Australian National University. He has, since 1992, been chairman of the Firearm Safety and Training Council, and in 1990 he stood for the Liberal Party for the since dismembered federal seat of Phillip. He is a distinguished Australian who has truly made a difference for the better in this great country, Australia.

**Gambling**

Mr CHAMPION (Wakefield) (9.45 pm)—Last week the Productivity Commission released its draft report on gambling in Australia. It is a report that focused on the effects of electronic gaming machines in our community. It is a comprehensive report providing information and a policy framework for government, parliament and citizens. I have spoken many times about the problems caused by electronic gaming machines: damage to individuals, to families, to the overall wellbeing and fabric of our community, and, in particular, to my electorate. I have spoken about the losses incurred by those who have sought treatment in my community.

It is interesting to note that one of the key points in the commission’s report is that some 85 per cent of problem gamblers do not seek help. These losses are often catastrophic for families and individuals. I have also talked about the effect of the design of machines and the potential effect on players of many on the features of electronic gaming machines. It is interesting to note that the commission’s report says:

Such problematic conditioning effects do not require malign intentions or deliberative actions by suppliers, but may simply reflect the fact that, in a process similar to biological evolution, gambling products with more pronounced conditioning effects will tend to become commercially successful.

That is in section 3.9 of the report. There is an acknowledgment by the commission that many of the design features by virtue of their success might have a detrimental effect on players. I have also certainly spoken of the need for a consumer protection approach to regulation in this area, away from, if you like, just treating the harm caused.

In one of my previous contributions I commented on the maximum bet rates and referred to losses when I should have referred to the amounts wagered so I will take this opportunity to correct that record. The figure provided by the commission on the average cost of playing a machine at the maximum bet rate is $1,020 per hour in South Australia. It is $1,200 in some states. That is a massive figure—a disturbing figure. One of the most important recommendations by the commission is to reduce the loss rate to an average of $120 per hour of play. That intervention would limit the financial losses made by problem gamblers and would have little effect on recreational gamblers. It is a recommendation that should be embraced by the industry and, indeed, by state governments. I notice that the Victorian state government and the Tasmanian state government have some commitments on the books to lower the maximum bet limit from $10 to $5.

The second main recommendation of the report is that a universal pre-commitment system should be put in place by 2016. The system would be enabled by new technologies. This would give players a mechanism to control and, hopefully, eliminate excess or problem gambling. It would give consumers the tools of restraint that they need to protect themselves. It would, in fact, give those who have little control over their addiction to these machines at least a fighting chance to restrict their losses and also to restrict their addiction.

The commission also made a number of findings about the policy framework. The most notable of these is that public health and consumer policy frameworks provide the
best basis for coherent gambling policies, emphasising the importance of policies that address the gambling environment as well as gambling behaviours. That is a terribly important point. As I have said before, moving towards a consumer protection model would help a lot of people. The commission also outlines the fact that a 10 per cent reduction in harm-related problem gambling could yield around $450 million annually for the community.

The potential gains for the community in this area are great. I would certainly encourage all members of this House to have a good look at the report. It does potentially map out a way forward for both the industry and the state governments. (Time expired)

Defence Industries

Mr BALDWIN (Paterson) (9.50 pm)—I rise today to speak on a subject that I have been actively engaged on for some time. It concerns me even more so now that nothing has been done to address the issue. I refer to the ongoing failure of the Rudd Labor government and in particular the Minister for Defence Personnel, Materiel and Science, Greg Combet, to support Australian defence industries. LAND 121 Phase 4 will acquire approximately 1,300 vehicles at a cost of more than $1.5 billion. It is therefore obvious to even the most casual defence observer that this project presents a considerable opportunity for Australian defence industry involvement. However, Minister Combet does not see it this way. For some inexplicable reason, he continues to reject one of the key election commitments of his own government—that is, to support Australian industry.

The current situation is this: Minister Combet’s government in October 2008 funded a US program to develop three prototype vehicles at a cost of $40 million, yet he only saw fit to release the request for proposal to Australian industry in June 2009—some eight months after investing $40 million in the US program.

Let there be no mistake: the request for proposal does not provide any funding to Australian industry. It is fair to ask why this would be the case. Why would the minister wilfully neglect Australian industry? Is it because the US design is a military off-the-shelf solution which presents less risk? No; the US program is a developmental program. Is it because the US program is developing the vehicles at a lower cost than what could reasonably be expected of Australian industry? Again, no. In fact, a congressional research paper from as recently as May this year has estimated that the US program will produce a baseline vehicle that costs 70 per cent more than the original target cost of US$250,000. That means a baseline vehicle will now cost approximately US$418,000. One must concede, then, that the US program is producing a vehicle that offers superior capability. But, again, the answer is in the negative. The capability sought by the ADF is a vehicle with a maximum weight of seven tonnes. This weight is crucial, as the vehicle needs to be able to be slung under a CH-47 Chinook. The problem is that each of the three US prototypes weighs approximately nine to 10 tonnes.

It is becoming clear that the minister is hiding something. Why is it that $40 million has been given to the US Joint Light Tactical Vehicle program when no similar support has been afforded to Australian industry? I call on the minister to immediately declare why it is that Australian industry is being made to suffer when independent evidence suggests that the US JLTV prototypes do not meet Australian capability requirements and cost far in excess of Defence estimates.

I call on Minister Combet to make an immediate statement as to why Australian industry is being overlooked for two reasons.
The first—and I am already on the record on this matter—is that Australian industry has a demonstrated capability to produce light armoured vehicles. Take, for example, the highly successful Bushmaster—a vehicle that has saved numerous Australian and Dutch lives despite being subjected to repeated IED attacks. Let me assure you, I have seen the IED affected vehicles that have returned from Afghanistan and they are doing their job. The second reason is that Australia is now one of only two international countries—the other being India—that have signed up for the next phase of the JLTV program, which is the engineering and manufacturing development phase. What concerns me is that there are reports that Australia has been, or will soon be, asked to contribute further funding to the US JLTV program as part of its agreement to be included in the engineering and manufacturing development phase. This is a concern because, while Minister Combet is resolute in his determination to ignore the capability Australian Defence industry has on offer, he may soon provide even more funding to the US JLTV program.

I am not speaking against the merits of the US program or investing in the potential solution it may offer. I stand here today as an advocate of the principle of equality of opportunity, whereby competitive Australian industry is given the same opportunities to compete for work as are international companies. Therefore, I call on Minister Combet to immediately provide funding to Australian industry to enable it to progress Australian designed and built prototypes for consideration in the protected light mobility vehicle program.

Isaacs Electorate: Noble Park Centenary

Mr DREYFUS (Isaacs) (9.55 pm)—Noble Park is 100 years old this year, and over the last two weeks our community has enjoyed some wonderful centenary celebrations. The primary event was a well-attended community festival, starting on the evening of Friday, 16 October with the opening of a historical exhibition at the Paddy O’Donoghue Centre in Buckley Street, Noble Park. This was followed by a day of community celebrations on Saturday, 17 October, starting with a march of community groups, led by former mayors, down Douglas Street, through the Noble Park shops. I had the honour of marching with the former mayors. The day was filled with music, food and cultural events, reminiscing and meeting old friends. There was also a wonderful Noble Park Centenary Ball at the community centre on the preceding Saturday, 10 October which was attended by many local community groups and, notably, the other local federal member, the member for Bruce and Minister for Veterans’ Affairs, whose electorate takes in the northern side of Noble Park, and state member and Minister Tim Holding. The weekend was a great time of enjoyable reunions for many old Noble Park families who came for the celebrations.

Noble Park has always been known for its great sense of community. Daryl Pitman, in his editorial to the Centenary souvenir edition of the Our Town magazine, wrote of the ‘Noble Park spirit, which has blossomed and triumphed through 100 years of challenges, world wars, depressions and hardships’. Noble Park is a suburb of settlers. Generations of settlers have made Noble Park the diverse community it is today.

I know that a number of Melbourne suburbs and communities have turned 100 in recent years, but I do not think that any of them have celebrated quite like Noble Park. The planning for these celebrations commenced over a year ago, in August 2008, when the President of the Noble Park RSL, Gordon Murray, approached a number of prominent residents to think about how Noble Park could celebrate its centenary. Fol-
following those initial discussions among that
small group of people, a public meeting was
held at Noble Park RSL where it was decided
to establish a committee to organise a com-
munity festival and historical display that
would appropriately mark this important oc-
casion.

As the regular meetings commenced, the
plan attracted the support of community
groups, including the Noble Park RSL, the
Rotary Club of Noble Park, the Noble Park
Keysborough Lions club, local sporting
groups and the local Adult Migrant Educa-
tion Service. In time, local businesses got on
board, including the Noble Park Traders As-
sociation and a number of individual busi-
nesses. The celebrations attracted the impor-
tant backing of the City of Greater Dande-
nong, which underwrote the event and, as the
program developed, local schools came on
board. The work was assisted by the Noble
Park Keysborough Community Drug Action
Forum, with considerable help from Lee Ta-
larmis, the public officer. There is not time to
name the many, many people who pitched in,
but I want to pay tribute to the tireless work
of the centenary committee and, in particular,
Phil Reed. There was considerable coverage
given to the events, both before and after, by
all three local newspapers: the Dandenong
Leader, the Dandenong Journal and the Star.

Earlier this year, I was able to announce,
with the member for Bruce, that the Rudd
government would offer $7.27 million to-
wards renewing and upgrading the Noble
Park Swim Centre, under the Regional and
Local Community Infrastructure Program.
The swim centre is a Noble Park icon and I
think it is particularly fitting that, thanks to
the federal government funding, this $13
million project is able to go ahead in the year
of Noble Park’s centenary. The work going
ahead on the Noble Park Swim Centre has
been welcomed by the whole community
because the swim centre is used by all, from
the youngest to the oldest residents of Noble
Park. In particular, the newest of the settlers
in Noble Park, the Sudanese community,
make great use of the swim centre. They,
along with everyone else in the community,
are looking forward to it reopening.

At the end of the day, it is the local resi-
dents and their spirit who truly make a com-
munity. I cannot improve on Daryl Pitman’s
words:
It’s the people of Noble Park who have made it
what it is. Buildings and facilities mean nothing
without good people. And Noble Park has been
blessed with the best. That’s what keeps shining
through.

Happy 100th birthday to Noble Park.

The SPEAKER—Order! It being 10.00
pm, the debate is interrupted.

House adjourned at 10.00 pm

NOTICES

The following notice was given:

Mr Stephen Smith—To move:
That, in accordance with section 5 of the Par-
liament Act 1974, the House approves the follow-
ing proposal for works in the Parliamentary Zone
which was presented to the House on 12 August
2009, namely: additional security cameras in the
Parliamentary precincts.
CONSTITUENCY STATEMENTS

Science Funding

Dr JENSEN (Tangney) (4.01 pm)—I rise to protest at the actions of the Rudd government in axing funding for high school science centres and its general lack of commitment to science. This government trumpeted its support for maths and sciences before the 2007 election. Its policy paper stated:

For Australia to succeed in a highly competitive global economy our children need to have a strong grasp of basic maths and science …

The document continued:

The foundations of a highly skilled workforce are increasingly laid in the maths and science classrooms of high schools …

Unfortunately, Australians have discovered that what was said in opposition before the election and the actions of the Rudd government since the election are two totally different things. I raised the issue of engaging and supporting young people in the sciences over three years ago when I observed:

… the problem is keeping the youth interested and engaged through high school.

You will never encourage young people in science when they have second-class facilities. The Labor Party has demonstrated its disdain for science with its funding cut for school laboratories and with cuts to such science based organisations as the CSIRO and ANSTO, which were highlighted on 23 June last year.

Labor’s lack of real support for sciences was also referred to by Professor Kurt Lambeck, President of the Australian Academy of Science on The 7.30 Report last month. He was speaking on the necessity for international collaboration to aid in the advancement of science and scientists in Australia. Professor Lambeck was asked about the government’s commitment to international collaboration. He replied:

I think there is a disconnect at the moment. The Minister, Senator Carr, and the Prime Minister, have both talked about the importance of it, but we haven’t seen that filtering through yet into actual actions.

And what we have seen instead, for example, is the effectively the closing town of many of our Commonwealth science officers in our overseas postings.

… … …

And the cutting back of the funding for some of our international bilateral exchange programs likewise is really making it difficult to develop, to maintain these ceding grounds that have been so important in the past.

So the actions are not necessarily compatible with what the ambitions are of the Government.

In other words, what this government says and what it does are poles apart, as usual.
Midland Highway

Mr ADAMS (Lyons) (4.04 pm)—I would like to make a comment about this government’s infrastructure fund and how the needs of Tasmania are already being met by the funding announced for the upgrade of the Midland Highway. The opposition in the state—

A division having been called in the House of Representatives—

Sitting suspended from 4.04 pm to 4.15 pm

Mr ADAMS—The opposition in the state has been complaining that we need a four-lane highway all the way from one end of the road to the other and has committed a future federal Liberal government to pay for it. I understand that Shadow Minister Truss has said he would be prepared to commit only $400 million and that not until 2014. The cost of a four-lane highway is more likely to be over $2 billion at the moment, let alone by 2014, when it will probably be a lot more. That is two elections away. Where the money is coming from I do not know, but the Liberals may have found a goldfield in their back garden—or perhaps they are thinking about a toll road.

This government has already started improving the Midlands Highway, beginning with the Brighton hub, which demonstrates a broader approach than just bypassing Brighton as it includes linking into rail and road heavy transport and facilitating a proper transport hub in the south to get some proper planning into the transport system. The system to bypass Brighton will be 9.5 kilometres of four-lane dual carriageway extending from the roundabout at the junction of the Midlands and East Derwent highways to the northern side of Pontville, at a cost of $1.6 million. It will mean a lot of jobs in the Bridgewater-Brighton area too, as well as improvements to Constitution Hill, which have almost been completed. Road planning for the Brighton bypass is also nearing completion and work on the lower end of the Midlands Highway will commence very soon. This will free up this bottleneck and allow a more even distribution of traffic out of the southern points. We also have a rail system being redeveloped, which will help keep a lot of heavy traffic off the Midlands Highway, putting less pressure on tourism traffic and commuters. This is all part of our commitments prior to the last election and is already funded and being delivered.

So talk of a four-lane highway at this stage is not only stupid but unachievable by a Liberal state government. Even their own federal representatives cannot agree that it would be useful to the state. Four lanes will not stop accidents. Many of the accidents have taken place on long, narrow, straight stretches of the road. The accidents might not affect as many people at one time, but accidents will still happen when drivers deliberately or accidentally ignore road conditions, road rules and road hazards.

Compare our system to the mainland, especially areas equivalent in population and country parts of the mainland, where our major highways stack up very well. Frankly, I prefer driving in these areas to doing so in many parts of Victoria and New South Wales. I will continue to work for the betterment of all roads in Lyons. I am very grateful to this government for understanding the real transport needs of Tasmania and addressing them urgently. (Time expired)

The DEPUTY SPEAKER (Ms AE Burke)—The member for Lyons got a bit of leniency with his time because he was cut off by the division. The member for Farrer has the call, and I might not be so nice!

MAIN COMMITTEE
Ms LEY (Farrer) (4.19 pm)—Thank you, Madam Deputy Speaker—you are always nice. I would like to speak today on the electoral redistribution in New South Wales, the final announcement around which was made by the boundaries commission last Friday, and the effect that that redistribution has on my electorate of Farrer. I say at the outset that I know that redistributions are difficult periods for members who may lose parts of their electorates that are very important to them or parts of their electorates where they live, or—can I put it this way—the numbers may not quite work in their favour so well post redistribution and they may have to look at the very real possibility of exiting parliament. So I feel for my colleagues on both sides of the House after this redistribution in New South Wales. My circumstances are that the electorate of Farrer has become larger by 50,000 square kilometres and approximately 5,500 new voters in the local government area of the shire of Central Darling, previously ably represented by my colleague the member for Parkes.

I think it is common sense for the whole of the Central Darling Shire to be moved into the same electorate. As it stands, part of that shire—the township of Menindee and the Menindee Lakes, because of their close relationship with Broken Hill—is in the electorate and the rest of the shire is outside of it. After this redistribution, the entire Central Darling Shire and the unincorporated area of western New South Wales, which is a very significant part of the Western Division, will be in the electorate of Farrer. I am absolutely delighted. I know that people assume that when one’s electorate gets larger and the distances you have to travel are more substantial it is not always a good thing. From my point of view, I love the back country; I love representing the people of the far west. They are, in every sense of the word, good people. My only request of them is that when they have problems they contact me more frequently than they do. They would see a lot of that contact as complaining or raising issues that they could probably deal with themselves. I want them to realise that I am here to look after their interests, whatever they may be.

I have been asked about what I think this redistribution means for rural representation. While, as I said, I am happy with my personal circumstances, I recognise that by losing a seat in New South Wales we drop another rural representative in the federal parliament. I am not suggesting that we should or could go to a gerrymander situation. In fact, having thoroughly investigated the constitutions of both the states and the federal government, it is not possible for us to do that. But it is very sad that we have dropped to 48 seats in New South Wales. I am told by those who study the numbers that this may well occur again at the next federal election, where we could drop to 47. That is not a good thing for rural representation in this parliament. Although those of us who represent rural Australia work very hard, we sometimes fight to have our arguments heard. This means we will have to fight even harder.

Ms BIRD (Cunningham) (4.22 pm)—It is with great sadness that I rise to put on the record of this House the passing of a great gentleman from the seat of Cunningham, Mr Jim Hagan. I am very pleased that the member for Throsby is with me in the chamber today while we acknowledge Jim’s great work and the great value that he brought to our region. I acknowledge first of all that Jim is survived by his wife, Lois, his sons, John and Jim, and his grandchildren, Clare, Angus and Jasper. Regarding Jim’s two sons, John works for the New South Wales state forestry department and Jim is Australia’s representative on the World Bank board.
in Washington. I know that Jim took great pride in the work of both of his sons and their achievements.

Jim joined the ALP in 1956. He joined the Thirroul branch in 1966 following his membership at Caringbah and in the ACT while completing his PhD. He was a very well regarded and well respected long-term member of a very active branch at Thirroul. He will be sadly missed by all of us in the party but particularly by his branch colleagues. He chaired the Hughes FEC for approximately 15 years and was President of the Thirroul branch for the past two years; he was Vice-President of the Thirroul branch for 40 years—a level of service that many of us can well admire.

Jim was educated at Bondi Public School and Sydney Boys High School. He originally worked as a teacher at Parramatta, Sutherland and Caringbah high schools. I want to put on the record that, when he was 12, Jim was one of the original Quiz Kids—between 1941 and 1945—and is still well remembered for that role. It was one of the most popular radio programs in the 1940s. Jim was a historian. He had a long history of union activism in the New South Wales Teachers Federation and the University Staff Association. Indeed, he was the author of the book, *The history of the ACTU*, although he wrote over a dozen books on regional politics in New South Wales and Wollongong local history, as well as parliamentary biographies.

Jim had a very renowned period working at the University of Wollongong as the head of history and politics and was the Dean of Arts. In fact, he was an emeritus professor of history at the University of Wollongong. This came on the back of being Deputy Chancellor at Charles Sturt University for approximately 15 years. Also, I should acknowledge, he was chairman of the Riverina council at Wagga Wagga during his time. So, wherever Jim went, he took an active role in his community. He loved bushwalking, heritage and railways. We loved Jim and he will be very sadly missed by all of us in the Illawarra. Jenny and I are very sad we cannot be there for his funeral on Wednesday to share their memories.

Mr JOHNSON (Ryan) (4.25 pm)—When a nation is in great deficit, when a national government has spent more money than it has received or is in the process of spending more money than it will receive, there are a huge number of programs that will face the axe. It is my sad duty to reflect the views and the concerns of the constituents of Ryan in relation to one specific program that has enormous resonance around the community, not just in the Ryan electorate but I am sure throughout the electorates of this great country. I am talking about the School Chaplaincy Program. In recent days the School Chaplaincy Program’s continuity has come into question. Certainly in the Ryan electorate this is cause for great concern. I have received literally hundreds of emails in the last 72 hours about whether the Rudd government is going to continue funding this worthy program. I have received emails from suburbs as far away as Kenmore and Pullenvale at one end of the electorate to The Gap in the other part of the Ryan electorate. Constituents there reflect all kinds of concerns about whether this worthy program funded by the federal government will continue to be a source of nourishment and sustenance for the young people in schools.

I want to read some of the concerns of stakeholders, of parents and school teachers and, indeed, local community members, who have expressed their deep reservations about whether the Rudd government will continue funding this wonderful initiative of the Howard govern-
ment that was introduced several years ago. For instance, from the suburb of Bellbowrie, a lady says to me:

Dear Mr Johnson

I am writing to tell you of the wonderful addition to our school the chaplain has been in these past few years. My children have both benefitted from her input as have the children in my year 2 class.

I have been so impressed with the change in the ‘tone’ of our school I have joined the LCC committee.

From the suburb of Kenmore, one gentleman says to me:

I believe that most schools in Kenmore and district have chaplains and that parents actively support their chaplains. In the 2 years of the program the chaplains have become an incredibly important part of the school support system for all the students.

I believe the government is under incredible financial pressure this year and next year and the chaplaincy program may well be stopped.

A constituent in the Pullenvale says to me:

Dear Michael …

You may not remember me but I was involved at Kenmore High School’s Chaplaincy program as a parent representative over 2002-2005. Both my children who were vice captains at KSHS and my youngest son who had a great benefit out there being a School Chaplain at this school.

(Time expired)

Forde Electorate: Zamia Theatre

Mr RAGUSE (Forde) (4.28 pm)—I rise today to speak about what I see as a victory for the seat of Forde and the community of Tamborine Mountain. It is great to see the member for Throsby is here in this chamber today when I talk about Tamborine Mountain. It is an area she has some connection with and during my campaign the member for Throsby worked very hard to show my constituents how we as a government would represent the people of Forde and certainly of Tamborine Mountain. The victory I refer to is about the Zamia Theatre, which I have spoken about in this chamber before. The Zamia Theatre is a very historic venue and asset on the mountain. It started in 1924 as a local hall which had a local theatre group but was also a community hall for other events. Through its history it has been owned by private interests and at one stage the Tamborine Mountain Progress Association, who more recently, a number of years ago, realised that because of the maintenance required on the building it needed to have a helping hand. To their credit the Beaudesert Shire Council, now the Scenic Rim Regional Council, took some responsibility for that.

Unfortunately, in the period leading up to the last election there was a commitment of funding under the RPP, the Regional Partnerships Program, which essentially did not materialise. It was an unfunded commitment. Becoming the member, I stood in the middle of this theatre, which had been gutted to take out some of the asbestos and other materials that were to be replaced, and it had no future funding. I have a great amount of gratitude to Queensland government, and I acknowledge their assistance by providing funding through their Q150 funding, which was to celebrate 150 years of Queensland. Further to that, there has been some money from the community infrastructure funds that our government, the Rudd government, have put in place. With the help of the Scenic Rim Regional Council, that has allowed this project to continue.
It was a project that in the end cost in the vicinity of $800,000. It has brought back an iconic building to the community, an asset that we almost lost. I know that the people who have been involved in this, such as Mayor John Brent, supported the three tiers of government coming together to make a project like this successful. The community worked very hard to maintain the understanding that this facility should be saved. There were hard decisions made by some of the council officers. This asset was probably going to be demolished. Clearly, having the three tiers of government working together to support what is a very important iconic community theatre has meant that we now have the Zamia Theatre back in production. At a function on Friday night, they were celebrating the success of the people of the mountain and the representations at all levels of government. I wish all success to the Rudd government and the Queensland government.

**Flinders Electorate: Disability Services**

Mr HUNT (Flinders) (4.31 pm)—I want to raise an issue of concern to a number of parents within my electorate and more parents throughout Victoria generally. I have been approached in particular by Maria Franca Lachman Galanzi and Alan Lachman, her husband. They have a child who is vision impaired and who suffers quite profound blindness. I had not been aware that Vision Australia had been forced to close its school for the vision impaired within Australia. I confess that it is something of which I should have been aware, but I was not. As I have looked into it more deeply, it has been quite a profound shock. Maria writes to me: ‘There are 81 schools for people with special needs and desires in Australia. That may include those with deafness; that may include those with profound intellectual or physical disability. But the one school in Victoria specifically set aside to give the parents of children with blindness or vision impairment conditions—the choice as to whether they attend a mainstream or a specially streamed school—is about to be closed. I would respectfully but categorically and absolutely say to the Victorian government that it is extraordinary that Victoria is about to find itself without any government support for a school for the vision impaired at all.’

In Adelaide in South Australia, as Maria writes to me, there is a school for students with vision impairment with over 40 students. That school does wonderful work. Not every child who is blind or vision impaired in Adelaide attends that school. But many parents choose consciously, deliberately and absolutely to pursue the education of their children within a specially streamed school. The reason is very simple: it is, as Maria has said to me, many needs are easily addressable. A blind student needs a school equipped with Braille books and PCs with adaptive technology; adapted art rooms, PE and music facilities; no physical barriers; and an expanded core curriculum. These are easily achievable, but only on a whole-of-school basis for many people who lack confidence or societal connections. One of the points made to me by Maria and Alan was that it can be terribly isolating for a blind student to be in a mainstream school. Some can adapt, but some have profound social disadvantage as well as a learning disadvantage. They have no intellectual impairment but have great physical and social needs. So I say to the Victorian government, please listen to the pleas of Maria and Alan and other parents and help re-establish a school for children with blindness in Victoria. (Time expired)
Ms GEORGE (Throsby) (4.34 pm)—I take this opportunity to congratulate the 33 students from local schools in the Throsby electorate who are the recipients of my annual Community Spirit and Leadership Awards. Time prevents my reading out their names but, suffice to say, they are the successful nominees chosen by their schools for appropriate recognition.

The annual Throsby Community Spirit and Leadership Awards program was instituted by me back in 2007. The purpose of the awards is to acknowledge students at all our local schools who actively contribute either to their school community or, indeed, to their wider community—for example, by volunteering for a range of school activities or involvement with local organisations like the Red Cross and also for their assistance, particularly for younger students and those with a disability, through numerous ‘buddy’ programs that are run in our schools.

It is often the case, as we know, that those students who excel academically or on the sporting field receive accolades at their annual school speech nights and presentations. The Throsby awards recognise those students whose contributions may be less immediately obvious but are just as valuable. I would like to quote the words of an editorial that appeared in our local paper, the Lake Times. It said:

Certain schools in the area are well-known for their sporting prowess, consistently producing high achievers on the sporting field.

Other schools set the bar high academically and still others have a strong reputation for pursuing the arts.

Within every high school there will be students who excel in each of those fields.

But for every would-be Brett Lee or high flying business person who picks up an accolade to encourage them on to bigger and better things, there are scores of students who won’t.

But the efforts of students who helped out disabled students at school, or acted as safety monitors or even who picked up garbage should not be underestimated—they may just go on to be the next Tim Costello or Gordon Bradbery.

Gordon Bradbery is the local well-known and admired reverend of the Uniting Church. I thank all the students and their family members who attended the awards presentation on 4 September. I hope the students benefit from the books they purchase with the voucher that was presented to them on the evening, along with their congratulatory certificates. Thanks also to the principals and staff of my schools. I would like to thank them for their encouragement of such a fine group of young local ambassadors who bring great credit to their school and to our community.

Mr COULTON (Parkes) (4.36 pm)—The discovery in Senate estimates last week that the National Schools Chaplaincy Program has not been funded past mid-next year has caused considerable concern amongst students, parents, teachers and chaplains in my electorate.

Since the National School Chaplaincy Program was established by the former coalition government two years ago, students and school communities from every corner of my electorate have benefited immeasurably from the valuable support, pastoral care and guidance offered by their chaplains. When the program was first implemented, there was a degree of...
concern expressed by many schools who felt it may threaten the separation of church and state. However, over the past week, I have received a great deal of correspondence from students, principals, parents and chaplains who have benefited in one way or another from the program.

The benefits that this program offers school communities are immense. Despite being a relatively new program, the feedback I have received is that school chaplains are making an enormous contribution to the personal, emotional and spiritual wellbeing of many school communities. This was recently reinforced by a study into the program by Edith Cowan University. The study found that teachers’ feedback from the program has been overwhelmingly positive. For teachers, the program fills a vital gap and provides an invaluable resource for teachers who have neither the time nor the capability to provide the services offered by these chaplains.

Adolescence is a very difficult time. For many students, having an adult who is always available to help them with behavioural management issues and social relationship issues such as anger, peer relationships, loneliness and bullying makes a significant difference to their lives. It would be interesting to know how many youth suicides have been prevented by young people having access to a kind and understanding ear. The chaplains also provide support, comfort and advice in the event of a family breakdown. They also offer support to students who are grief stricken by the loss of friends in tragic accidents or by the loss of family members. As one parent in my electorate correctly pointed out, this program gives students a head start in life and a platform from which they can begin to make the right choices in life.

Despite the fact that 97 per cent of school principals have engaged a chaplain and strongly support the program and its benefits to their school communities, the government has refused to rule out cancelling funding for this program. The government must give a firm commitment that this program will be extended.

In closing, I would say that this is something that has worked. It is not a religious indoctrination. I know from personal experience that very marginalised children have benefited from having a person with a kind and caring ear to speak to.

Solomon Electorate: 2009 Telstra Business Women’s Awards

Pink Ribbon Day

Mr HALE (Solomon) (4.39 pm)—I rise today to put on the record my congratulations to all the finalists and winners in the Northern Territory 2009 Telstra Business Women’s Awards. Last Friday I had the pleasure of attending the awards function, and what a spectacular event it was. Thank you to all the sponsors and congratulations to the organisers. It was indeed a privilege to be in the same room with so many of the brightest and most talented businesspeople from all parts of the Northern Territory. To be selected as a finalist for such an auspicious award is a fantastic effort. To be declared a winner is a testament to an amazing personal achievement that requires passion, resilience, courage and determination. I congratulate Vicky Taylor, who was named the 2009 Telstra Northern Territory Business Woman of the Year. Vicky is the general manager of the Alice Springs Hospital and, with her highly trained staff, she provides medical services to a population of 55,000 across more than four million square kilometres of Central Australia. I know the member for Lingiari is very excited by Vicky’s
win, and he appreciates greatly her contribution to health in Alice Springs and the surrounding areas.

I also congratulate the other category winners. Yvonne Bradley is from Bradley Seafood in Borroloola, where Yvonne and her husband have built a successful seafood business. In fact, they have doubled the size of the family fishing operation, despite extreme hardship and isolation. Look out for their seafood in the southern restaurants. Congratulations also to Wendy Oldham from the NT Gas/APA Group. She took out the Hudson Private and Corporate Sector Award. Wendy is the general manager of NT Gas and leads a team that delivers gas to some of the most remote areas in the NT. Wendy’s team of 50 ensures that critical natural gas is delivered through more than 2,000 kilometres of pipeline across the Territory. This year’s marie claire Young Business Women’s Award went to Charmaine Barrett from the NT Industry Capability Network, or the NTICN. Charmaine is the marketing and project coordinator of the NTICN, responsible for the showcasing the strength, the experience and the ability of NT businesses and matching them to relevant projects and business opportunities around the country. Once again, congratulations to all involved. It is with a high degree of bias that I look forward to seeing the Territory finalists win the national titles in their respective categories at the national awards dinner in Melbourne next month.

It would remiss of me not to mention that today is Pink Ribbon Day. Tragically, breast cancer takes the lives of more than 2,500 Australian women each year, and 12,000 women will be diagnosed with the disease in the next 12 months. Australia has a strong track record in managing breast cancer. Internationally, we were rated as having one of the best breast cancer care systems in the world. However, cancer can strike any of us, and Pink Ribbon Day is a time to remember breast cancer awareness. Today we remember also those who have lost their fight with breast cancer and those who continue to fight this terrible disease. We also celebrate those women who have won their fight against this disease.

The DEPUTY SPEAKER (Ms AE Burke)—Order! In accordance with standing order 193 the time for constituency statements has concluded.

TAX AGENT SERVICES (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 2009

Second Reading

Debate resumed from 22 October, on motion by Dr Emerson:

That this bill be now read a second time.

Mr Griffin (Bruce—Minister for Veterans’ Affairs) (4.43 pm)—I would like to thank all members who have contributed to the debate on the Tax Agent Services (Transitional Provisions and Consequential Amendments) Bill 2009. This bill provides for the smooth transition from the current regime, which is out of step with the contemporary tax and commercial environment, to the new regulatory regime in the Tax Agent Services Act 2009, which was passed by parliament earlier this year. The bill ensures that entities currently providing tax agent services are able to make the transition into the new regime with as little disruption as possible. This includes tax agents and nominees registered under the current law, as well as entities currently providing business activity statement services.

The bill also includes special transitional provisions to cater for entities providing specialist tax agent services. Importantly, the bill introduces two safe harbour provisions. Where a tax-
payer engages an agent and provides him or her with all relevant information, these provisions will exempt taxpayers from certain administrative penalties for mistakes and omissions made by their agents in certain circumstances. These safe harbours have been a key feature of the new regime since they were first proposed in 1998. They reflect the fact that, under the new regime, effective action can be taken by the board to improve the performance of tax agents or BAS agents where necessary.

The bill will also make consequential amendments to other existing legislation. These amendments will be necessary upon the commencement of the key regulatory provisions in the Tax Agent Services Act 2009—for example, the bill repeals part VIIA of the Income Tax Assessment Act 1936, which is the existing law for the registration of tax agents. The key transitional and consequential amendments include safe harbour provisions, have been the subject of extensive consultation over a number of years and have undergone significant development and refinement. Those involved in the tax agent services industry continue to express their strong support for the introduction of the new regulatory regime. The opposition has also made known its support for the new regime and the benefits that it will provide. The government is committed to the creation of a new regulatory regime that is appropriately tailored to the contemporary tax and commercial environment and that reflects legitimate expectations of consumers of tax agent services. The passage of this bill will represent another important step in the creation of such a regime. I commend the bill to the House.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr GRIFFIN (Bruce—Minister for Veterans’ Affairs) (4.46 pm)—I present a supplementary explanatory memorandum to the bill. I move the government amendment:

(1) Schedule 2, item 14, page 22 (line 25), after “is”, insert “or has been”.

The amendment ensures the tax petitioners board is able to register all entities for a period of at least 12 months if they have transitioned into the new regime as a registered BAS agent and they seek a further period of registration without having the necessary qualifications or experience. Without the amendment, BAS agents who transition into the new regime could gain an unintended advantage by allowing their registration to lapse before they reapply for registration and obtain a minimum three years of registration. This is not the government’s intention.

Question agreed to.

Bill, as amended, agreed to.

Ordered that the bill be reported to the House with an amendment.

HEALTH INSURANCE AMENDMENT (COMPLIANCE) BILL 2009

Second Reading

Debate resumed from 17 September, on motion by Mr Bowen:

That this bill be now read a second time.
Mr Abbott (Warringah) (4.48 pm)—I do not propose to detain the Committee long on the Health Insurance Amendment (Compliance) Bill 2009, but I do wish to make a few observations about the approach that the opposition intends to take to it. I begin by reaffirming that the opposition strongly supports Medicare. Indeed, it used to be said under the former government that it was the best friend that Medicare had ever had. Many members of the current government were probably sick of hearing that statement, but I think that the former government did by its actions abundantly justify that statement. Obviously, if Medicare is to work—if it is to function effectively—there have to be meaningful mechanisms to tackle fraud and overservicing.

At the moment, the Chief Executive Officer of Medicare can request information from doctors who are reasonably suspected of engaging in inappropriate or improper practices. The CEO of Medicare reports that some 20 per cent of doctors who are asked to provide access to patients’ medical records refuse to do so. The government believes that of that 20 per cent many are quite possibly engaged in improper or inappropriate practices. I would suggest to the Main Committee that it could equally be that they simply do not believe that it is ethically proper of them to provide their patients’ medical records to a third party, even a third party as eminent as the CEO of Medicare.

This legislation seeks to give the CEO of Medicare the power to require the production of patients’ medical records rather than just request them. I should point out that this strikes me and the opposition as a rather heavy-handed solution to a problem that may be more apparent than real. For instance, every year some $4.5 million is recovered from doctors in Medicare payments which turn out to have been inappropriately claimed. That suggests, firstly, that there are mechanisms in place to recover moneys from doctors who have inappropriately claimed and, secondly, that it is not such a shocking problem given that $4.5 million, while a lot of money in itself, is a minuscule percentage of the $14 billion or thereabouts that Medicare disburses every year.

Five convictions on average are secured every year against doctors for improperly claiming Medicare benefits. Obviously, five is five too many but when we remember that there are some 55,000 doctors registered to claim Medicare benefits, the fact that in any one year five do so improperly suggests that the vast majority of doctors are working entirely appropriately under the system. I would be very disappointed to think that this government was engaging in doctor bashing. The last thing that we should do if we want our health care system, and in particular Medicare, to function well is to assume that all doctors are cheats. Medicare only works because of the goodwill and integrity of the medical profession. I believe it is important for the government and the parliament to work with the profession rather than against it in matters such as this.

I wonder whether it would not be more appropriate and ultimately more productive, when the CEO of Medicare believes that there may be some grounds for suspecting that benefits have been claimed improperly or inappropriately, if rather than issuing a notice requiring a doctor to produce medical records the CEO instead sent a Medicare official to the doctor’s practice to be there with the doctor on site to inspect the relevant records. This, I think, would be a simpler and more collegial way of ascertaining the true facts of the situation and in the long run more likely to get to the truth of the matter than the issuing of notices to produce records.
If it really does seem to the CEO of Medicare that something improper has taken place, there are already mechanisms for securing access to patients’ records, mechanisms which have been in place for many years and which are well regarded in terms of the privacy provisions surrounding them. There is the possibility of a professional services review or, if that is regarded as insufficient, the possibility of bringing action in court against the doctor concerned. At least on the face of it, this legislation strikes me as going too far and as giving a power to the CEO of Medicare the necessity for which is far from clear. Without wishing further to detain the Main Committee and without wishing to move amendments at this stage of the bill, I foreshadow that the opposition is looking at some amendments which we will consider in another place.

**Ms HALL** (Shortland) (4.54 pm)—I rise to support the Health Insurance Amendment (Compliance) Bill 2009. I am not really clear whether the opposition will support this legislation or whether it will oppose it in the House. I note that the shadow minister talked of some amendments to be moved in another place, but I am still not sure whether or not that means that the opposition is seeking to oppose this legislation. This bill will enable Medicare to give a notice requiring the production of documents to a practitioner or another person who has control of documents to substitute an amount of Medicare benefit paid in respect of professional services. This initiative aims to protect the integrity of Medicare and to enhance Medicare Australia through an audit process and sees the government deliver on its commitment of responsible economic management. The 2008-09 budget measures also included an increase in the number of audits conducted under the compliance program.

This legislation ensures that Medicare remains viable. Expenditure on Medicare has now increased to $14 billion per year, and it has more than doubled over the last 10 years. It is in that light that the government has introduced this legislation. It establishes a compliance measure to be undertaken by Medicare Australia administrative staff to maintain the integrity of Medicare. It is a vital part of the government’s overall economic management and a vital part of the government’s strategy to ensure that Medicare remains viable into the future.

Medicare is an institution that protects all Australians. The shadow minister indicated that, when he was the minister for health, his government was the best friend that Medicare ever had. I would strongly argue against that proposition put by the shadow minister. It was under his reign as minister that bulk-billing plummeted. It was under his reign as minister that many problems developed within Medicare. It was only because of Labor constantly keeping him on his toes that Medicare actually survived the Howard years. So it is with great pleasure that I am able to stand up in this place and support the bill we have before us.

I note very strongly that most medical practitioners do the right thing and charge appropriately. Other medical practitioners may make mistakes. I think that most errors that occur would just be an oversight, and this legislation takes into account those kinds of problems. The Senate Community Affairs Legislation Committee inquiry into compliance audits on Medicare benefits recommended:

… as part of the Medicare compliance audit process specific measures are detailed in the regulations to ensure that patient clinical records are only required to be accessed where necessary.

The government has taken into account what this legislation’s purpose is and listened to what the Senate Community Affairs Legislation Committee put forward.
The government has also consulted widely, and that is a really important point for me to make at this point in my contribution to this debate. We have also consulted very widely with all sectors of the community that are involved in this. Key stakeholders have all been consulted, and they were given the opportunity in 2008 and in the first half of this year to comment. This included the AMA, as it did the Senate committee. As I have already stated, the Senate committee’s recommendations have been considered and are reflected in the legislation that we are debating here in the chamber today.

I should walk through a few aspects of this legislation. In doing so I should mention that the government decided that it was very much appropriate to address the issues covered by this legislation in primary legislation rather than regulation. Therefore, the bill was amended to include significant involvement by medical advisers in the compliance audit process. A ‘medical adviser’, for the record, is a medical practitioner employed by Medicare Australia. That is of vital importance, because the audit is not an audit of clinical process, clinical decisions or clinical practice but rather an administrative audit. The documents that will be required to be produced by a medical practitioner will not in any way impinge on patient privacy or in any way look at patient decisions in relation to patient care and appropriate medical decisions. If it is found that there has been some breach, there are a number of conditions that need to be satisfied before the CEO can act: firstly, the CEO must have reasonable concern that Medicare benefits paid in respect of a service may exceed the amount that has been paid; secondly, the CEO must take advice from a medical adviser before a notice can be issued; and, thirdly, the CEO must give a person a reasonable opportunity to voluntarily respond to the audit request prior to formal notice.

It is important to note that this legislation was needed because currently 20 per cent of medical practitioners do not comply voluntarily with the audit and it was felt by the government that this needed to be right across the board to ensure the integrity, ongoing success and viability of Medicare. Medicare Australia will continue to work with all the stakeholders, will continue to see that it involves everybody and will continue to consult. That is something that is very different from the previous government. It is something that is very different to what happened when the previous minister for health, in the Howard government—the member for Warringah, who just spoke—held the portfolio and had an opportunity to have an impact in these areas. The bill also looks at the penalty rate. Where a person voluntarily admits they have made a mistake there will be a 100 per cent reduction in the penalty. Where it has been paid, there will be a 50 per cent reduction. Before the completion of the audit, there will be a 25 per cent reduction. But if a person does not respond to the audit then they will have a 25 per cent increase.

Overall, this is a very fair piece of legislation. It is legislation that has been designed to ensure the ongoing viability of Medicare, and it is very reasonable that both sides of this House support it. It did worry me that, when the shadow minister spoke a few moments ago, he indicated that he may not support this legislation. I was hoping that he would clarify that fact for me. I will be very disappointed if the shadow minister does not get behind this very sensible piece of legislation, which is designed to ensure the long-term viability of Medicare.

Mr Bowen (Prospect—Minister for Financial Services, Superannuation and Corporate Law and Minister for Human Services) (5.04 pm)—in reply—This Health Insurance Amendment (Compliance) Bill 2009 amends the Health Insurance Act 1973 to give effect to the in-
increased Medicare compliance audit initiative which was announced in the 2008-09 budget. This is a very important bill, as the member for Shortland said. It is a very sensible bill.

Expenditure on the Medicare scheme is substantial, totalling over $14 billion in 2008-09. This expenditure has increased by more than $1 billion per annum in each of the last two years. Medicare Australia does conduct a compliance audit on Medicare services to ensure that taxpayers’ funds are spent appropriately. A compliance audit is an administrative check to confirm that all elements of a service, which are outlined in the Medicare Benefits Schedule, were performed. A compliance audit does not review matters relating to the clinical relevance of services. These are and will continue to be managed through the Professional Services Review.

The government recognises that compliance audits can be inconvenient to medical practitioners and may cause some additional workload for a short period of time. However, there is simply no other way to cost-effectively manage the risks associated with large expenditure while still maintaining accessible, affordable services through Medicare. At present, Medicare Australia cannot require the production of documents during an audit. As a result, around 20 per cent of practitioners either do not respond or refuse to cooperate with a request for documents during a compliance audit.

I note that the member for Warringah, representing the shadow minister for human services, said that therefore the conclusion is that the government think that the majority of those 20 per cent are doing something wrong. That is not necessarily the case. What we do think, though, is that it is incumbent on the government to ensure that taxpayers’ funds are being spent appropriately. It is not acceptable to have 20 per cent of respondents refusing to agree. That would be the case in this program and it would be the case in any other government program whether it be welfare based or expenditure based—whatever it is. Twenty per cent of people simply refusing to comply with an audit is far too high a figure, and the government must act to boost its powers. That is not a reflection on doctors. It is not a reflection even on those 20 per cent of doctors refusing to comply. But it is a sign of prudent fiscal management and responsible budgeting to say that we should ensure that all money is being spent appropriately.

This bill was considered at the government’s instigation by the Senate Community Affairs Legislation Committee, which concluded that it represented a good balance between the overlapping interests of maintaining patient privacy and ensuring that public funds are spent appropriately. The committee recommended the development of regulations to ensure that clinical records are only accessed where necessary during an audit. We accepted this recommendation, but we consider this is more appropriately addressed in the primary legislation, which it is, before the House. For this reason the bill provides for extensive involvement by medical practitioners employed by Medicare Australia in the compliance audit process.

This bill will enable the Chief Executive Officer of Medicare Australia to give a notice requiring the production of documents to a practitioner or another person who has custody, control or possession of the documents, to substantiate a Medicare benefit paid in respect of the service. However, before the notice to produce documents can be issued, the CEO must have reasonable concern about the Medicare benefit paid in respect of the service, take advice from a medical practitioner employed by Medicare Australia on potential sensitivities associated with the kinds of documents a practitioner may need to provide to substantiate the service and
give the person a reasonable opportunity to voluntarily respond to an audit request. That is very important.

Again, the member for Warringah asked: why wouldn’t the CEO just send a representative to talk to the medical practitioner involved before issuing a notice? The fact of the matter is that that does and will continue to occur, but the CEO does need an increase in powers to deal with a situation where the medical practitioner involved simply refuses to cooperate, refuses to discuss the matter or in any way substantiate the claim that is being made. Now, importantly, it will be up to the person who receives the notice to decide what documents they have available to substantiate the service.

The notice to produce documents must include a statement that documents containing clinical details do not have to be produced unless these are necessary to substantiate the service. If a practitioner decides that documents containing clinical details must be provided then the bill allows practitioners to supply those documents to a medical practitioner employed by Medicare Australia rather than an administrative officer. This means that the practitioner who provided a service decides what documents to provide to Medicare Australia and who will receive those documents. Medicare Australia is working with stakeholders, including the Australian Medical Association, to develop guidelines on the kinds of documents that will substantiate particular services or groups of services. These guidelines will be publicly available and will emphasise that clinical information is not to be provided unless it is absolutely necessary to substantiate the service. The provisions in this bill do not commence until 1 January 2010, in order to allow for the development and publication of these guidelines.

The bill provides for an important protection for practitioners. Documents which are provided to Medicare Australia in response to a notice cannot be used against the practitioner in any other proceedings except for those relating to false or misleading statements under the Health Insurance Act. This means that Medicare Australia cannot use any information obtained as a result of the notice to produce documents as the basis for a referral to the Professional Services Review. The bill provides for practitioners to be notified of the outcome of the audit. In addition, if a practitioner is found to owe a debt to the Commonwealth, the CEO must give them 28 days in which to seek an internal review before a debt notice can be issued.

At present, if the Medicare amount paid is not substantiated, the practitioner is required to repay the money, and this will continue to occur. However, this bill provides that a practitioner who cannot substantiate the Medicare amount paid may also be liable to a financial penalty. This financial penalty is intended to encourage practitioners to itemise Medicare services correctly. A base penalty amount of 20 per cent will be applied to debts in excess of $2,500. Medicare Australia’s data indicates that this is the point at which mistaken claims may become routine or reflective of poor administrative decision making. In 2008-09, only 22 per cent of practitioners who were found to have made incorrect claims were asked to pay more than $2,500. The $2,500 threshold may be increased by regulations. This allows the threshold to be adjusted to ensure that practitioners are not disadvantaged by increases in the value of the Medicare benefit paid in respect of services. This bill allows the base penalty amount to be reduced or increased according to individual circumstances described in the legislation. This is intended to encourage self-disclosure and promote voluntary compliance. This bill is not retrospective and will apply only to Medicare services provided after the commencement of the legislation on 1 January 2010.
This is, as I said, a very important bill. It is a bill which the government has paid a great deal of attention to. It is a bill in which we have listened to concerns about privacy, and I believe we have got the balance right. I have had a number of meetings with the President of the Australian Medical Association, Dr Andrew Pesce, about this bill, and I have taken the AMA’s views on board where I have felt it prudent and appropriate to do so. The shadow minister indicated, I believe, support in the House but reserved the opposition’s position and indicated that they will be moving amendments in the other place. I will look at those amendments carefully. If they are sensible and practical then we will take them on board, but we will be looking for the opposition’s support for this very important bill, which protects taxpayers’ money and ensures the integrity of the Medicare system.

The government cannot stand before the Australian people at the moment and say, ‘We believe everything is being done that can be done to ensure that your taxpayers’ dollars are spent appropriately when it comes to Medicare.’ This bill will make a very substantial improvement to the integrity and accountability of our expenditure of taxpayers’ money on Medicare services. It is appropriately and carefully balanced and targeted, and I commend it to the House.

Question agreed to.

Bill read a second time.

Ordered that this bill be reported to the House without amendment.

DISTINGUISHED VISITORS

The DEPUTY SPEAKER (Ms JA Saffin)—Before we proceed to the next bill, I wish to inform members that we have present in the gallery members of a delegation from the secretariat of the Rajya Sabha, the upper house of the parliament of India. On behalf of all members present, I welcome our visitors and wish them every success in their program.

Honourable members—Hear, hear!

AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY AMENDMENT BILL 2009

Second Reading

Debate resumed from 16 September, on motion by Ms Kate Ellis:

That this bill be now read a second time.

Dr SOUTHCOTT (Boothby) (5.15 pm)—In speaking to the Australian Sports Anti-Doping Authority Amendment Bill 2009, I want to indicate that the opposition lends its support to this bill. This piece of legislation is largely directed towards the governance of ASADA, and the bill will build on the foundations which the former coalition government laid down to stamp out doping in sport. Despite some governance issues that this bill is addressing, the policies of the coalition ensured that ASADA developed a strong international reputation as a world leader in best practice anti-doping regulation.

The coalition improved Australia’s anti-doping effort by replacing the Australian Sports Drug Agency with ASADA in 2006. This was as a result of the Anderson inquiry in 2004 into the Australian track cycling team. We armed this new agency with strong powers to investigate and present cases as well as exchange information with other enforcement agencies. We gave it the power to investigate suspected anti-doping rule violations outlined in the World Anti-Doping Code, to make recommendations on its findings and to present cases against alleged offenders at sport tribunals. We provided an additional $2.24 million to ASADA in the
2007 budget for enhanced investigation of alleged doping violations and the subsequent preparation and submission of briefs in relation to individual cases, bringing total funding to $12.9 million. We launched the ‘stamp out’ hotline in March 2006, where people can report information about possible doping in sport. We established the Register of Findings in March 2006, which makes public the names of athletes who have committed a violation, and we initiated the Athlete Whereabouts information register in March 2007 to further facilitate ASADA’s no advance notice testing program so that athletes can be located at any time and be tested.

Because of the work of the previous government, ASADA has earned a fine international reputation. It now conducts approximately 4,200 government funded tests each year. Additionally, a Curtin University survey found that the proportion of athletes vulnerable to doping had declined in the last four years. The proportion of athletes who would give a lot of or some consideration to taking up an offer of a banned substance had decreased from 16 per cent in 2004 to eight per cent in 2008, in this survey. However, the same survey found that 18 per cent of athletes believe they could get away with using performance-enhancing drugs while out of competition, while six per cent said they could get away with it during competition. Therefore, there is clearly more work to do.

To ensure that our anti-doping efforts are as effective as possible, ASADA, which is central to our fight against doping, must be operating at its optimum. A review of ASADA commissioned by the Department of Health and Ageing in 2008 found that this may not be the case. The review found that the complex governance arrangements made it difficult to resolve disagreements between the ASADA chair, who was also the head of the agency, and the ASADA members. These disagreements have included the strategic direction of ASADA, the testing of schoolboy rowers, the handling of a test result from Ian Thorpe and a Medicare-data-correlating pilot project.

The review found that the definitions of the roles, responsibilities and powers of the ASADA chair and chief executive officer, on the one hand, and the members, on the other, are blurred. The review found that disagreements between the members and the chair-CEO, in the amalgamated role, have therefore been hard to resolve, which has caused tensions to develop and, in some cases, relationships to break down. The review stated:

Many of the problems which have faced ASADA since its inception can be directly attributed to the lack of clarity in the ASADA Act about the roles, powers and functions of the Chair/CEO on the one hand and the non-executive members on the other …

It recommended that two main issues required clarification. The first was the need for clear allocation of roles and responsibilities within ASADA and between ASADA and key stakeholders, including the Department of Health and Ageing. The second issue was the need for a clear distinction between functions through which ASADA acts as an arm of government and functions in which independence from government may be desirable. This bill seeks to alter ASADA’s governance arrangements by ensuring that ASADA operates as a conventional FMA Act agency by removing its CAC Act elements. It will create a new CEO position with an advisory board, create an anti-doping rule violation panel and make changes to the way the National Anti-Doping Scheme will be amended in the future.

The first element is to ensure that ASADA operates as a conventional FMA Act agency by removing its CAC Act elements. When ASADA was established in 2006, its financial ar-
arrangements were determined by the FMA Act and its staffing arrangements were determined by the Public Service Act 1999. ASADA was established as a body corporate, consisting of a chair, deputy chair and independent non-executive members who were given decision-making roles. This meant that it would also perform some functions attributable to the Commonwealth Authorities and Companies Act 1997, the CAC Act. So it had, in a sense, a hybrid nature—features of an agency operating under both the FMA Act and the CAC Act. For the purposes of the FMA Act, the ASADA chair was also the chief executive of the agency. Removing the CAC Act elements and ensuring ASADA operates as an agency under the FMA Act will separate the chair and chief executive roles. We will now have a chief executive officer and an advisory group.

The creation of a new chief executive officer position and a new advisory group is being proposed to clarify the roles and responsibilities within ASADA. The CEO position will be responsible for directing ASADA in carrying out functions prescribed under the ASADA Act, including financial responsibilities normally expected of a CEO under the FMA Act and the Public Service Act. The advisory group will have purely advisory functions. Members will be appointed by the Minister for Sport and will have specialist skills in areas such as education and training, sports medicine, sports law, ethics and investigations.

There will also be a new anti-doping rule violations panel. The panel being created by this bill will replace the current anti-doping rule violation committee. The new panel will consist of members with specialist skills, such as sports law, sports medicine and pharmacology, and will not include the ASADA chief executive, ASADA staff or members of the new advisory group. So there will be very clear separation. The panel will have a quasi-judicial role, in that it will be their responsibility to determine any anti-doping rule violations and make recommendations, which will be given back to the ASADA chief executive officer. It will be his responsibility to notify the individual athletes and the national sporting organisation.

Finally, the bill will change that the way the National Anti-Doping Scheme will be amended in the future. The National Anti-Doping Scheme ensures Australia remains compliant with the World Anti-Doping Code. When the World Anti-Doping Code changes, the NAD Scheme is amended to reflect the changes. Under current arrangements, ASADA can only change the National Anti-Doping Scheme as a whole by a written instrument. Under the new arrangements, which provide more flexibility, the chief executive officer will still make changes via a written instrument, but the bill will include additional matters where the CEO can make changes, allowing him or her the ability to change just sections of the National Anti-Doping Scheme instead of the scheme as a whole.

In conclusion, I regard the legislation as very straightforward. It goes to the governance of ASADA. I believe ASADA has operated well in terms of the functions it has carried out but clearly these governance problems have been identified and they need to be resolved. I think this will be a much better structure going forward. As I said earlier, ASADA has earned an excellent reputation in its work on stamping out doping in sport and Australia maintains a very strong line against doping in sport. It is a matter of pride to Australia that WADA is headed up by an Australian, a former federal minister and former New South Wales Premier, John Fahey.

I wanted to indicate that the opposition support this legislation. It is very straightforward. I would also like to thank the Minister for Sport and her staff and the department for their ex-
tensive consultation and briefings on this legislation. The bill is implementing structural changes to the internal operations of ASADA which are consistent with the independent review. It will clarify the roles and responsibilities within ASADA and streamline the way it runs. I indicate the opposition will be supporting this bill.

Mr RIPOLL (Oxley) (5.26 pm)—I thank the chamber for the opportunity to speak on this very important bill, the Australian Sports Anti-Doping Authority Amendment Bill 2009. At the outset I congratulate the Minister for Sport, the Hon. Kate Ellis, for her role in bringing this to the parliament and ensuring that the good work that has been done by the Sports Anti-Doping Authority is continued into the future and that in fact it continues to improve as it has done for many years. So I congratulate her for her good work in that particular area.

This is an important bill. Although it is a matter of just some governance changes and some minor amendments and a number of realignments of roles and so forth, all the while it is very important in terms of the way that ASADA actually operates given that it currently exists under what is best described as a hybrid governance model which is subject to a number of acts, particularly the Financial Management and Accountability Act 1997. While ASADA has been functioning well, the way it is currently structured and governed and the way the board operates means that there have been a number of internal and structural issues when it comes to decision-making and some confusion as to people’s specific roles or the direction that the board or the organisation actually takes. This is a sensible move forward and I understand the opposition fully support these changes in the bill. We welcome that, because Australia does have a strong reputation for anti-doping in sports and I believe it is important that we continue to build on that reputation and make sure that we continue the good work that has been done to protect sports and sports people and to ensure that the image of sports in Australia is of clean sports without the use of performance enhancing drugs or other drugs.

This legislative change has come about via a review that was commissioned by the Department of Health and Ageing. It found that there were difficulties with the hybrid model of governance that I mentioned earlier, that in itself created some problems, particularly to the extent of authority that was available to non-executive members in the performance of their duties under the ASADA Act. These governance changes will correct that and remove that uncertainty that existed. Basically what the changes to the ASADA Act will mean is the abolition of the positions of ASADA chair and ASADA members. This of course has been done in consultation with those members and they are aware of the impending changes.

The bill will create a new chief executive officer position to fulfil the head of agency role and it will also establish a new independent anti-doping rule violation panel to make sure that decisions on anti-doping rule violations, previously the responsibility of ASADA members, are carried forward and there is a proper way for that to happen. It will also establish an advisory group as part of a consultative forum for the CEO on various matters, such as testing, education, investigations and so forth. There will also be some small incidental changes to align the ASADA Act more closely with changes to the world anti-doping code that came into effect on 1 January this year. So it will align our internal efforts and internal governance within Australia with what is happening on the global stage.

Change will also mean that the method for amending the regulations covering ASADA’s operational activities will provide the parliament with greater scrutiny. I know that there are many members of parliament that are very interested in what takes place in anti-doping activi-
ties in sport, particularly in Australia, given that we all believe in a strong stance in this area and given that we want to maintain our reputation as a country that produces sportspeople who are free of drugs, and teams free of drug cheats.

The changes that we are proposing will come into effect on 1 January next year. The amendments that we are proposing do not have a financial impact. As I said earlier, I want to congratulate the Minister for Sport for taking this one. While I understand that there is cross chamber acceptance of the changes, it is good to see that it was she who brought these changes in. It is important legislation. While it is minor in some respects, putting Australia at the forefront of global change in anti-doping activities is important. We all want to get rid of drug cheats in sport. They have no place in sport at any level, be it an individual or team level, a club level or an elite level. Drugs cheating is a dangerous practice, both in terms of a country’s reputation and a sport’s reputation, but also from a health perspective for individual sportspeople.

It is important to note in this debate that these changes will not have any adverse effect on any anti-doping activities that are currently taking place. We are making sure that there will be transitional measures in place to enable the continuity of some key activities that are going on right now—in particular, any decisions relating to any anti-doping rule violations that are in the process of being taken.

Everybody in this House agrees that there is no place for drug cheats in sport at any level, and particularly not at the elite level where people are representing their country. In what some people would describe as a sports mad country, it is fairly important that we take a strong anti-doping stance and that we have a system that matches that stance. It is a pretty widely held view in the community as well. People want to see fair competition and people competing on their merits and not on their ability to take drugs. The potential health risks involved in the taking of either short- or long-term performance-enhancing drugs are worthy of note. We have seen these risks over a number of years in elite sports, with highly talented individuals who have decided to use performance-enhancing drugs often having health problems or taking other drugs. Not only does that affect their ability over the long term, it can also quite substantially shorten their lives. We have seen a number of high-profile deaths over the years relating directly to the harmful use of drugs.

There is an important role for every country to play in making sure that we protect athletes from the pressures that are placed on them when they compete at those elite levels. That is something that we need to acknowledge in this debate: the pressure that is placed on people to continue to perform better and better; to continue to lift; to perform with incredible levels of stamina, fitness or strength; to perform feats beyond the ordinary human being. We have seen that in particular sports, be it football, handball or one of my favourite sports, cycling, where we have seen lots of controversies over the years in world-renowned events such as the Tour de France and others. It always saddens me when I see such controversies because I see the damage that is being done to those sports through the use of drugs. I also see the damage that is being done to ordinary people who participate in those sports when the sport is tarnished with the image of being a drug-cheating sport. This is not isolated to the cycling world. We have seen it occur in the weightlifting world and a whole range of other sports at the Olympics.
It is really important that governments and countries take it upon themselves to do everything they can to ensure that they have the right regulatory frameworks in place. Anti-doping bodies need the right governance, the right structures and the right funding. A strong message also needs to be sent out so that young people in particular do not fall into bad habits or traps early, because that often leads them into some poor practices later in life. Again, I congratulate the Australian government for continuing the commitment to fight against doping—performance enhancing drugs in sport—and for doing that through a range of methods such as detection and through looking at the different opportunities where these drugs can be taken.

The bill before us today, as I said, reflects part of an independent review that was done at the end of last year. The change that we are putting forward is part of a central implementation agency for anti-doping efforts in Australia which will effect its key responsibilities in detecting drug cheats and, through education programs, in discouraging athletes from taking drugs through testing, through investigations and, of course, essentially through enforcement. You have to enforce it at some point. You have to take a tough stance, and sometimes that is done at the high-profile end to send the message back down the line. I strongly believe that this is the right direction in which to go and that we have to send out the right signals. Australia is a leader in this area, and it ought to continue its very good efforts.

There will be some costs associated with the establishment of the new anti-doping review panel and also the advisory group, including member remuneration and some secretarial expenses and so forth. But it will be money well spent. The associated costs will be determined by the Remuneration Tribunal, which is the appropriate place for these things to be done. While the positions of ASADA members are being abolished as part of these changes, as I said before, they will still have a role to play through participation on the interim review panel. Outgoing members who possess the right skills will be eligible for permanent appointment to the new panel or to the advisory group, and members have been consulted on this.

Australia has been renowned for setting a very high bar in this area. We certainly make no apology in terms of that. Our good reputation needs to be continually strengthened, and this bill will do that. I am particularly heartened by the view that we are not operating alone in this area. While our good efforts are unique to Australia, it is important that we align our efforts with those of the rest of the world, given that elite sport is played on a global stage and not just in our own backyards. At the same time, we need to make sure that we protect the rights and privacy of athletes and that we do things the right way.

When this bill takes effect, a number of new positions will be created and some older positions will be abolished. The bill will provide the new body with a governance framework to operate properly. It will remove any of the confusion that previously existed and ensure that anti-doping continues to be a central plank in Australia’s approach to sport and that Australia continues to be at the forefront of anti-doping measures around the world. It will ensure that, when our athletes compete, they will be confident that the athletes whom they compete against are not drug cheats and that there is a level playing field. Our athletic champions, our sports people, will know that all their hard work and effort over many, many years can be rewarded appropriately by competing against people who are not cheating the system and who are not on drugs. I commend the bill to the House.

Mr TUCKEY (O’Connor) (5.39 pm)—The Australian Sports Anti-Doping Authority Amendment Bill 2009 has been promoted, in particular, as a series of administrative changes.

MAIN COMMITTEE
It has some quite serious implications and is worthy, I think, of some comment in that regard. These amendments—or series of administrative changes—were, quite properly, brought forward due to a considerable discourse within the management of ASADA that resulted in disputes about the privacy rights of athletes. There was a virtual zero tolerance process that some of the executive thought was appropriate but which was rejected by others. In the case of Thorpe, possibly that enthusiasm was acceded to. This bill is an attempt to bring forward a new regime that is expected, I think, to be more successful on both sides of the fence, and it warrants some discussion as to those matters.

I continue to have an involvement in the ownership and training of racehorses. I served for nine years on the committee of the Western Australian Turf Club and for two years as the chairman. Nowhere else, historically, has the issue of performance-enhancing drugs been more prominent than in the racing industry. Originally, it only applied to the animals. At the turf club, particularly under my chairmanship, we took a very strong position in regard to the taking of narcotic type drugs—so-called recreational drugs, a label that I do not agree with—by jockeys, track riders and other persons in the industry. An interesting aspect of the horse-racing industry is that everybody is licensed, right down to the stablehand. As such, a simple punishment is to withdraw that licence. Of course, the consequence is that it takes away that person’s living. It is a very dramatic punishment. You can imagine a top jockey who, being delicensed for three or six months, might miss out on riding the Melbourne Cup winner, where five per cent of a couple of million dollars is a reasonable fee for the amount of time spent on the horse’s back.

When the first person so charged came forward—and it was for the use of marijuana—he was quite put out. He said, ‘I had my last puff on Wednesday. You tested me on Saturday, and I was clearly no danger on the back of the horse.’ Our response to that was to say, ‘You are an elite athlete. You are surrounded by young apprentices and others wishing to learn the trade of horse riding. It is a lousy example to set and you had better stop it.’ That process continued, and all of sudden our stewards started turning up at track work in the morning and asking certain licensed personnel to submit a sample. That really put the cat amongst the pigeons until the industry woke up to the fact that it was not smart to do it.

I make that point, because I have been enraged for a long time, considering the processes of the Australian Football League, the AFL: three strikes and you are out. Again, if one goes back to racing parlance, the odds of catching someone three times, considering it is a random testing process, are extremely wide, and, in my mind, it was an incentive to take a couple of risks in the hope that you did not get caught. That, of course, achieved high farce when I discovered that a 17-year-old draft pick could have a positive test to one of these drugs and such were the rules of the AFL that their parents could not be involved in the circumstances. You just cannot believe that, under the pressure of the players’ association, any organisation could accommodate those arrangements.

One of the situations that I want to bring to the attention of the House is that when one talks of performance-enhancing drugs there is a supposition that it will be some sort of steroid, blood-doping product et cetera. I suggest that, as one who back in 1976 had a very severe car accident that pulled one of his feet off, I do not run very well anymore. Maybe that is why I never run away! But the fact of life is that I have incessant pain in one of my ankles, and that stops me running. It is still accepted in human sport—not horse racing—that painkillers are an
acceptable treatment. I well remember that on his retirement one of Australia’s better fast bowlers, Bruce Reid, commented that he had to give up the painkillers he was taking because they were sending him dizzy. One of the retired women’s champions who came back to the sport more recently gave as a reason for retirement at the time that the type of painkiller she was taking to address whatever physical injury she was suffering was affecting her health.

But you read in the paper that so-and-so is being given painkilling injections so he can run out on the football ground today. There is a tragedy behind that. Of course that has enhanced that player’s performance; but, more particularly, you are masking the pain signals that say, ‘Give your leg a rest,’ ‘Give your back a rest,’ or, ‘Give your arm a rest.’ That is what pain is all about. Imagine Bart Cummings stepping out one of his Melbourne Cup fancies on the day. Imagine if it were limping in the morning and he said to a journalist, ‘Don’t you worry; we’ll give it a painkilling injection before the race and it’ll go all right.’ There is the example of the death of Damien Oliver’s brother—yet to be resolved in the courts. It was killed and it killed the jockey in the process. In a trial the young horse he was riding showed positive; it was running with sore legs which had been masked by a fairly common treatment known as Butazolidin, and of course that young horse did not know to give its leg a rest and it broke. It rolled over and it killed the jockey, Damien Oliver’s brother.

Those sorts of matters are taken so seriously with animals but not so seriously with human beings. ASADA and the World Anti-Doping Code have no rules about performance-enhancing drugs. I note some tennis player picked up for taking the so-called recreational drug cocaine. I hear on the radio of research recently done in Holland by a woman who looked into the production of legal cocaine during the First World War. There was massive growth in production, which she suggested was because the troops were getting it. I quote that as published research—I do not want it to be attributed to me—but this raises the question of aggression: were the generals of that period, who I thought were murderers, feeding the troops this sort of treatment through a cup of rum or something like that if it gave them the courage and the stupidity to run out in front of machine guns and be mowed down? But, again, that then takes us to the step in the recreational area of the violence that is now so commonplace and that is frequently blamed on alcohol. I think there is a link between the two, and it is doubly worse. I am totally convinced.

In my previous life I was a hotel keeper for about 30 years, and as recreational drugs, as they are known, came to be part of people’s needs to have a good time—I never could work out why they needed it, but they did—I noticed an increase in violence. More particularly, as one who had to maintain order in his premises, I found that I was dealing with an entirely different type of person in a number of ways: there were people who could not be convinced to behave themselves and who were inclined to very violent acts. I was in the industry for 30 years and in 28 of those years I never saw anybody kick anyone lying on the ground, and yet that is a common factor and it is related to fatalities—but that is extending the debate somewhat.

This particular legislation gives me the opportunity to draw the attention of the House to a tennis player who has tested positive to cocaine and is doing time. He is banned from the sport for a given period notwithstanding that cocaine can be performance enhancing. All the original doping of racehorses was done with heroin and my old-time mentors reckoned the horses went pretty well on that. Elephant juice, which resulted in the tragedy of the horse that
nearly died at the end of the Perth Cup, is only super-refined heroin and is so strong that if you want to give it to a horse you pull 10 millilitres into a syringe, squirt it all back and then pull in 10 millilitres of water, and the residual drug in the needle and around the edges of the syringe is sufficient to dope a horse and for it to run two miles when it is dead on its feet after a mile because it has no pain signals.

The point that I want to make is that while the tennis player got time for cocaine the AFL thinks it is okay unless you get caught three times. That is just outrageous and should never have been the case. To the credit of other sports like rugby, I do not think the ‘three strikes before you’re out’ rule applies, and nor should it. Human trainers, the football coaches and others, have become a little more responsible about resting players who have suffered injury. I can well remember reading years ago about a coach who said that when you go out on the football field you have to take a bit of pain. But, as I said, pain is a warning. Pain tells you to give yourself a rest. Pain is exhaustion and exhaustion is pain. Lactic acid suddenly discharging into the muscles of a horse or, I assume, a human being indicates that you had better give yourself a rest. Yet one of the most interesting doping techniques of recent times—particularly in the horse industry, and you wonder about others—involves bicarbonate of soda. We now have a testing regime for it, and it is very difficult because under a certain figure it occurs naturally in the animal. If you can get enough bicarb of soda into a horse within an hour of him racing, he will feel no pain because the bicarb of soda dilutes the lactic acid discharge. But the question is whether you should do that to a human.

All of these issues, if the ASADA people bother to read my speech, are issues to be addressed. It is wrong to give painkilling injections to an athlete and to be able to do so publicly. That was the case with Reid and with this tennis player. Reid said he was getting too dizzy and that he could not take any more of the stuff because his bowling arm had become so painful. That should not be, and I hope that at some stage ASADA and the World Anti-Doping Code recognise that painkillers of any format are as much a performance-enhancing drug as some steroids. In fact, if I were taking a practical view I would say that at some stage a person wishing to recover from an injury might think that they could enhance their repair with some steroid assistance that passed from their system, to their benefit, but that of course is a no-no. I wonder in practical terms whether a healing process is as unfair as a pain-masking process that can be applied on the day of the race—for humans but not for racehorses, dogs or other animals. In both cases I think it is really of grave concern and it is a huge gap in the entire process of assessing athletes so that they meet one another on the same level playing field. There just seems to be a thought that humans can run with pain masking of that nature. Most of these drugs are narcotic. Any of the usual injections you get to kill pain will have a narcotic base, and it is not good stuff.

The legislation is welcome. It creates a new administrative regime which will hopefully be proven, in time, as effective. But, if there is any weakening of the virtually zero tolerance system that should apply, it will not be successful. When someone is consuming drugs for whatever purpose I am not sure that they are entitled to privacy protection. It is said that ASADA wanted to look at Medicare records and find out what drugs people purchase, and that was considered a bridge too far. Getting further from the issue, a pharmacist well known to me and residing in my electorate said to me the other day that, when it comes to the recording of drug
sales, if you need a particular antibiotic or other drug that is extremely expensive to Medicare the doctor has to ring up and get approval to prescribe it. But, if you are out prescription-shopping to get some of the somewhat lesser drugs that can be converted into quite serious recreational drugs, the doctors do not have to report that. This pharmacist thinks that is just dopey.

Outside of the ASADA issue, governments are worried about the cost of drugs and therefore make them reportable. But the kinds of drugs that people can go from doctor to doctor and get a prescription for are dangerous and can be turned into very dangerous products, yet there is no reporting process. A doctor has no responsibility to ring up as he issues a prescription, thereby creating a database that would say, ‘This person’s got five prescriptions today.’ The pharmacist gave me not only an example of that but an example of something that resulted in a fatality. So this is a chance to put that on the record. The advisers here might want to ring up and ask Medicare or the health commission why it is that doctors do not have to report those sorts of prescriptions, when as soon as the cost goes beyond a certain degree in terms of other medications they are obliged to do so.

Mr ZAPPIA (Makin) (5.58 pm)—I welcome the opportunity to speak on the Australian Sports Anti-Doping Authority Amendment Bill 2009. I listened to the member for O’Connor, who has just finished speaking, and he made a number of very constructive comments in his contribution to this debate. I speak on this matter as someone who has undergone sports drug testing on several occasions. I am familiar with the process, the procedures and the obligations of the various authorities that carry out those tests. The intent of this bill is to restructure the Australian Sports Anti-Doping Authority and, in doing so, create three separate functions in its the structure: firstly, a new chief executive officer role to fill the head of agency role in accordance with the Financial Management and Accountability Act; secondly, a new independent anti-doping rule violation panel to make decisions on anti-doping rule violations; and, thirdly, an advisory group as a consultative forum for the CEO.

The new structure should make the Australian Sports Anti-Doping Authority a much more effective organisation and better equip it to deal with the emerging challenges ahead. Since drug testing was first introduced into the Olympic Games in 1968, and in Australia in the early 1980s, the challenges faced by anti-doping agencies around the world have become far more complex than previously and they will continue to increase in complexity.

For sports administrators and anti-doping authorities, the prevention of drug use by athletes poses a far more difficult task than that faced by many other law enforcement agencies. In support of that statement, I point to the following facts. Firstly, sports supremacy attracts huge sums of money, often in the order of hundreds of millions of dollars. Secondly, sports performance is associated with international supremacy amongst nations. One has only to look at the huge sums of money invested in preparation for Olympic athletes by some nations to understand the importance placed on sports performance by national governments around the world. Thirdly, national governments have been accused, from time to time, of being complicit in the administration of, and perhaps even in developing, the drugs administered to athletes. Fourthly, the science behind sports drugs is changing frequently. The ability of anti-doping authorities to keep up with the latest science presents them with an incredibly difficult task.
The black market sports performance enhancement drug industry is today estimated to be worth billions of dollars. When one combines the value of the sports drugs black market with the sports contracts, and the entertainment contracts and commercial value of the sporting sector, one begins to understand the power of the drivers and the magnitude of the obstacles faced by anti-doping agencies.

Let me make it absolutely clear: sports drug use is not limited to Olympic or Commonwealth Games athletes. I noted the comments by the member for O'Connor a moment ago when he was reflecting on the violence that he sees today, as compared with many years ago—I think he made reference to kicking someone when they were down on the ground. One of the side-effects that I am well aware of for one of the drugs often taken by athletes—and people who work in the security industry, who quite often, are the very people who secure hotels—causes extremely violent behaviour. It is not unusual to see the kind of activity that the member for O'Connor was referring to, not only because the person involved in the brawl is either intoxicated or on drugs, but also because the people who are supposedly expected to provide security are themselves taking different kinds of drugs. They do so because they need to in order to secure their employment. They need to in order to maintain the size that will give them the opportunity to gain employment in that particular industry.

Sports drug use, as I said, is not limited to Olympic or Commonwealth Games athletes at all. Whatever one looks to, the goal to win or to entertain drives some athletes to turn to drugs. I will explain what I mean by ‘entertain’. We had the comment earlier on about footballers or tennis players, but we also have professional wrestling as a good example, where predominantly the objective of whatever these athletes are doing is to entertain. The ability of these people to be entertainers is dependent on their athletic ability. Their athletic ability often drives them to turn to drugs in order to be able to perform at the level required, which in turn, provides them with the entertainment opportunity and the income that goes with it.

Sometimes the athlete is driven by the desire to win and other times by the desire to just remain competitive. At times, because performance is a sport star’s livelihood and the athlete fears being unable to continue to compete professionally, they turn to performance-enhancing drugs. Again, I am well aware of individual athletes who have done that because without drugs they are unlikely to be able to compete at the level that provides them with their income.

At times it is even driven by governments who demand results from the investments that they have made in their athletes. I think all of us in this chamber would be aware of some of the accusations that have been made in respect of the way different countries prepare their athletes for major international events. I will leave everyone to draw their own conclusions from those accusations, but it seems to me that if there were a worldwide consistent, uniform attempt to stamp out performance-enhancing drugs, we probably would not have seen some of the events that we have seen in the past with athletes subsequently being proven to have taken performance-enhancing drugs.

With the pressures of having to compete and the huge sums of money that are at stake, avoiding drug use detection has itself become an industry. Masking drugs and other detection avoidance practices have become common practices. In discussing this matter we generally focus on the need to ensure a level playing field for athletes and sport participants and there is no question that it is a critical objective. Any competitor who has an unnatural advantage be-
cause of the use of performance-enhancing drugs is not competing fairly, and it defeats the spirit of the contest.

But it goes much further than that, because competing with an unfair advantage deprives other competitors of the opportunities that come with winning. These are opportunities that may be the culmination of a lifetime of devotion, sacrifice and sheer hard work, the very qualities that should be rewarded in sports performance. These are opportunities which sometimes come only once in a lifetime, when an athlete’s performance peaks. I will explain that particular point. We often talk about sports performance in parliament, and I noted that it was raised recently when we were talking about a citizenship bill and the ability to compete in the Olympic Games which come around once every four years. For some athletes their ability to peak will only happen once in their lifetime and they need to try to ensure that that coincides, if they are wanting to compete in the Olympic Games, with when the games are held. If they are denied the opportunity to win because someone has been taking drugs, they are denied the opportunity to achieve a whole lifetime of ambition, which might have started when they were children, and they have committed their whole life to performing at that level. But with it also comes the denial of the opportunities that subsequently come from having been an Olympic gold medallist and so on. It is not just a case of people winning because they have taken drugs. The athlete who has not taken drugs has been denied so much. That is why it is so unfair and why we should do whatever we can to ensure that when athletes do compete they compete fairly and not with the assistance of performance-enhancing drugs.

There are other matters that concern me about this particular issue. To begin with, most of the sports performance-enhancing drugs that are bought are bought illegally on the black market. They are sold not by medical or pharmaceutical professionals but by drug pushers, mostly—maybe not in all cases—with limited medical knowledge or no medical knowledge at all. They have little understanding of the long-term medical effects, little understanding of the immediate side effects and little understanding of the risks associated with the drugs. There can be serious risks if the athlete has a known medical condition or is on other prescribed drugs.

Under normal circumstances, a medical professional prescribes the drugs the person has taken and takes precautions before prescribing other drugs at any time. In other words, they look at what drugs a person is on before they prescribe another drug. I am talking here not about sports-performance-enhancing drugs but about any form of drugs. They ensure that there is not going to be a contraindication as a result of other drugs being taken by the patient. When it comes to the sellers of sports-performance-enhancing drugs—I am referring to those that are being sold on the black market—the chances are that no such precautions are taken, placing the athletes at real risk. The risks are high and, in fact, can be devastating, including loss of life.

The second matter I raise with respect to the supply of sports-performance-enhancing drugs is this: not only are the drugs often prescribed and supplied by nonprofessionals but the quality of the drugs provided may be below standard. I refer to drugs which, I understand, are made by rogue pharmaceutical manufacturers or to out-of-date drugs sold by illegal distributors rather than being properly disposed of. As if that were not bad enough, I understand that there are also black market sellers who have supplied veterinary-grade drugs to athletes.
I have seen lives destroyed because of the physical and psychological side effects of performance-enhancing drugs. Equally distressing to those people was that the use of those very drugs never, ever resulted in any worthwhile or rewarding personal achievement. The drugs were sold to them on the premise ‘These drugs will achieve super wonders for you,’ and they never, ever got there, yet they had to endure the health risks that went with the drugs for no valuable gain whatsoever. Sports-performance-enhancing drugs are not only taken by elite sportspeople. I believe that there is widespread use of them right across different sectors of the community, including, as I said a moment ago, perhaps in the security industry around Australia.

The third matter I raise with respect to sports drugs is that the testing regime itself, while vastly improved since the 1980s, still has limitations in that it does not detect all drugs or drugs that are not registered or even known. There is no easy response with regard to the prevention of performance-enhancing drugs, particularly when spectator numbers are driven by the desire to witness record-breaking performances. The organisers know that, the sponsors know that and the authorities know that. The temptation to turn a blind eye to drugs is huge.

The last matter I will raise about the prevention of drugs in sport is the cost associated with the drug testing itself. Most sporting organisations engage the federal government through ASADA to carry out the drug testing on their behalf. The cost of the testing is borne by the club or organisation. The costs are quite high, and therefore sporting organisations are limited in the number of tests they can carry out. Clearly, if we could find a cheaper way of carrying out the tests, it would make it possible for organisations to carry out more tests, which would make it a little easier for them to stamp out drug taking within the sports.

There is a lot more I could say on this issue. I realise that my time is running out and that we are trying to get this matter concluded today. I will close by saying this: it will be extremely difficult to prevent the use of sports-performance-enhancing drugs through any form of regulation or procedure that we engage in. However, it is important that we do whatever we can to try and stamp them out, for a whole range of very good reasons. This particular bill, I believe, provides us with a much improved process and authority to do that. I believe that it will add to the work we are doing and to our ability to stamp out drug taking. For those reasons I support it, but I still believe we have a long way to go.

Mr SIMPKINS (Cowan) (6.14 pm)—I rise to speak on the Australian Sports Anti-Doping Authority Amendment Bill 2009. In primary school, secondary school and even in the Army I liked to play football. As people would often remind me, I was limited by only a few things: ability, coordination and skill. So I found my way into the sport of rowing, at 11 years old, back in 1975. I was involved in the sport for some 27 years, until 2002. I competed competitively in almost all states around the country, and in other places, with time in the Army. I was also fortunate enough to win a couple of Australian championships, having represented the sport at state level three times and once at the under-23 Australian level. By ‘represent’ I mean that I pretty much made it to the top level of the state in 1985 and to the under-23 Australian level in 1984. I was at my competitive peak in the mid-eighties, and I have no recollection whatsoever of any antidoping testing in rowing at that time. Maybe it was just that I was never selected. Maybe people looked at my performance and realised that there was no way drugs could possibly be enhancing that sort of performance. In any case, I have no recollec-
tion of it. It was probably in the 1990s, when I was studying for a level 2 coaching qualification, that I developed some knowledge of testing for performance-enhancing drugs.

Drug cheating in sports probably came to the notice of Australians in 1988 when, at the Seoul Olympics, the infamous Ben Johnson cheating incident took place, when he won the 100-metre gold medal only to be stripped of it later following a drug test. Since 1988 we have heard many reports of a constant string of drug cheats from around the world, particularly in sports such as bike riding, weightlifting, swimming and at a high-profile athletics event recently, with the public disgrace of the now infamous United States multiple gold medallist Marion Jones. Australians would also have seen interviews with famous Australian sports men and women in which they have made allegations about athletes of other nations being involved in drugs and the advantages that our opponents have achieved as a result of cheating with those performance-enhancing drugs.

I do not wish to dwell too much on this specific matter, but I would like to emphasise the importance of deterrence as the main objective because, while detection after the fact is vital, at the elite level the awarding of gold medals at international events, such as the Olympic Games, is pretty much the pinnacle for an athlete. Athletes desperately want to cross the finish line first and stand on the podium, receiving the accolade as best of the best. If a winner is later disqualified and the medal is given to the clean winner, the moment of the race and the stand on the podium can never be replicated. That is the reason why deterrence and the elimination of drug cheats before the event is important to those who would otherwise have won.

Following on from the problems in the late 1980s, in 1990 the Australian Sports Drug Agency was established as a result of the Australian Sports Drug Agency Act, with a mission to deter the use of banned doping practices in sport. At that time, ASDA undertook education, testing and advocacy services and coordinated the Australian antidoping program. ASDA’s programs were directed at athletes, coaches, sports science and medical personnel, and sports administrators. I recall having some knowledge of this when I was undertaking my level 2 coaching course for rowing in Canberra in 1998. As part of a course at the Australian Institute of Sport we had a session with ASDA, as it was at that time. We were given an explanation of how performance-enhancing drugs worked, and of course the health risks involved, as well as an explanation of the way the testing of athletes was actually carried out.

On 23 June 2005, the coalition government announced a decision to add additional functions to those undertaken by ASDA and rename it, thereby establishing the new and independent anti-doping body Australian Sports Anti-Doping Authority, or ASADA, to commence operations in 2006. Beyond the duties previously undertaken by ASDA, ASADA would be able to investigate doping allegations and present cases at hearings. In addition to the existing budget allocation for ASDA, ASADA received an additional appropriation of $1.298 million in 2005-06 and an additional $4.571 million over the following three years.

With regard to drugs in sport, I think we can say that predominantly Australia can lay claim to a good record and is relatively clean in this area. In the last financial year ASADA conducted 2,158 out-of-competition and 2,084 in-competition government funded tests. Another 2,395 tests were undertaken on a user-pays arrangement comprising AFL, NRL, rugby union, A league and Cricket Australia athletes. In 2007-08, 64 cases were managed by ASADA, 39 involving a sanction, of which, 18 admitted a violation. It is therefore clear that there is a problem and that vigilance must be maintained. However, I would to say that there are fine
lines to be drawn on some of these matters. We know professional athletes take supplements and tablets, and they get injections. Hopefully they do these things in the belief that what they take is not illegal.

In researching this speech I looked at the case of the triathlete Rebekah Keat who tested positive to a drug test in 2004 following the Western Australian Ironman event. She was suspended for two years and has returned to competition, but has fought to clear her professional name and restore her reputation. Rebekah Keat was able to prove that a supplement, Endurolyte, was contaminated with the steroid precursor norandrostenedione. I understand that the fight to clear her name cost Rebekah Keat a lot of money and I commend her on her determination, although given her background in a most arduous sport it is little surprise that she fought hard.

That is not to say that we do not have real cases of Australians who have cheated by using performance enhancing drugs thereby justifying the need for having ASADA. Werner Reiterer, a field athlete, admitted to taking drugs before the Sydney Olympics and said that officials turned a blind eye to it. He was rightly taken to task for refusing to name names, thereby contributing to ongoing problems in the sport. In 2004, there was the case of Australian weightlifter Caroline Pileggi who received a mandatory two-year ban for refusing a drug test. Following legal action culminating in a failed Federal Court appeal, she had the two-year ban upheld. As I understand it, the member for Isaacs was the unsuccessful QC in that matter. No doubt he would have some interesting views regarding this legislation.

There have been other cases and the facts demonstrate that, sadly, Australia is not completely clean, although I would always say that we are among the best for clean sport and with our athletes. Nevertheless the record does show that we have an ongoing need to have strong and effective deterrents and mechanisms to lead the fight against drugs in Australian sport. In closing, no-one should ever be able to gain a competitive advantage in sport through illegal methods. This bill will aid in clarifying the roles and responsibilities within ASADA, as well as streamlining its processes. The need to adapt to changing circumstances has been demonstrated in regard to drugs in sports. The need for ASADA to adapt has also been recognised. I support this bill to improve its capabilities, and maintain and improve the standing of Australian sport in the world.

Mr HALE (Solomon) (6.23 pm)—I rise in support of the Australian Sports Anti-Doping Authority Amendment Bill 2009 and also to support the comments made by the Minister in her second reading speech when she said:

I think all of us would agree that doping and drug cheats have no place in sport.

The Australian government is committed to the fight against doping—and is determined to ensure that performance enhancing drugs are detected, dealt with and deterred at every possible opportunity.

In a sports loving country like Australia a strong anti-doping system is essential to protect the integrity of our sporting competitions and also protect our athletes from the potentially harmful health effects of using prohibited substances and methods. …

This bill amends the Australian Sports Anti-Doping Authority Act 2006, ASADA Act, to keep the Australian Sports Anti-Doping Authority, ASADA, Australia’s peak anti-doping in sports agency, at the forefront of global and local efforts to stamp out drug cheats.

Specifically, the bill reflects the need for new structural and governance arrangements to ensure the efficiency of ASADA antidoping programs today as well as into the future. ASADA
is a key implementation agency for Australia’s antidoping efforts, supporting the Australian government in coordinating and harmonising antidoping initiatives with states and territories and of course with our national sporting organisations at the core of antidoping methods in this country. ASADA’s responsibilities include detecting drug cheats and discouraging drug use through education programs, testing, investigations and enforcement. As a former elite football coach at the under-18 level, I knew that the challenges were there then in order to educate our young athletes who were trying to get to the AFL about performance-enhancing drugs.

However, this issue is also one of recreational drug use in regard to the challenges, and I think that our country has an attitude towards recreational drug use that needs to be addressed and addressed quickly. I think that far too often we are seeing high-profile athletes as well as high-profile people come out and say that throughout their careers or throughout their life they have used recreational drugs. I think our whole culture around the recreational drug issue and the fact that some people still think that it is all right to do it rubs off on how young people think when it comes to performance-enhancing drugs. I touch on what the member for Cowan alluded to. For me it was Ben Johnson and the fact that as an 18-year-old watching the Seoul Olympics and very much enthralled with athletics I felt absolutely gutted the next day when I saw that this race, 9.93 seconds for the 100 metres, had been drug affected. I think we were all in awe of this athlete from Canada, but he did not quite look right, I must admit. He had a fairly big solid body and a tiny head, but he certainly ran. The next day when it came out that he was a drug cheat and had been found guilty of using anabolic steroids I think the world was in shock at how this had happened.

Ms Marino—And disappointed.

Mr HALE—And disappointed. After that we saw Florence Griffith Joyner, who also had a career and her life cut short through anabolic steroid use. We certainly saw the demise of Marion Jones in more recent times. I once read a survey where they spoke to Olympic athletes. The member for Makin touched on this, that they get a very small window to do the best they can. Once every four years they get to run in the Olympics and they get the world championships two years in between. There is a lot of training and a lot of effort goes in for that very small window. They once surveyed Olympic athletes and over 80 per cent said that they would take an anabolic steroid that could cost them their life if it was the difference between winning and not winning a gold medal. To me that is just an amazing statistic, to think that so many would risk their life to do it.

Think of all the great sportspeople we have had in the last century, the Dawn Frasers, the Herb Elliotts, the Betty Cuthberts and those types of athletes in that, I suppose, golden era of athletics. They were household names and fantastic athletes. They were not full-time professionals, they did not get paid anywhere near the amount of money they get paid today. They had to be amateurs to compete in the Olympics and compete in the Commonwealth Games. But they were raw athletes who could ply their trade without any sort of enhancement. The fact of the matter was that those athletes won just through sheer hard work. I find that it is totally unacceptable that athletes can use drugs in order to skip past hard work. Recently in Darwin we had the natural body-building contests. Ronnie Coleman is the seven-time Mr Olympia, I think, and I think a bit of enhancement has gone into Ronnie’s biceps; I have got no doubt about that. Certainly the natural body-building competition was there for all to see.
It sends a very ordinary message, I think, that you can have a natural body-building contest and an unnatural body-building contest.

The evolution of athletes in America, who are constantly being caught with performance-enhancing drugs, especially in professional football and baseball, is a blight on sport globally. The problem is that these people have massive profiles, they are paid an enormous amount of money—as the member for Makin touched on—and they are put up on a pedestal for young people to aspire to. And it is not only at the elite level. I am sure that among the second- and third-tier athletes, who are trying to get that extra edge in order to capture their full potential and become full-time professionals, drug use would be absolutely rife. There are no protections for those athletes and there is very limited testing of those athletes. There is a lot of hearsay and innuendo about who is taking drugs and who is involved in performance-enhancing drug activities, yet there is no testing and there are no protections in place. It is not until they get to the highest level that they are caught out, or, by that stage, they may have decided to go clean and not use drugs. However, the damage to their bodies has already been done; and maybe, when using drugs in order to get to the next level, they have beaten athletes who are doing the right thing—only to fail when they get there because they are not able to use the drugs they have used in the past.

The first change in this bill is that ASADA will be headed solely by a CEO, who will be responsible for operational and strategic matters. Secondly, under the proposed new arrangements, the current ASADA members structure will be replaced with a new model to ensure that the functions previously undertaken by ASADA members continue—for example, decisions on anti-doping rule violations. Thirdly, this bill will establish an advisory group that will primarily be a consultative forum for the CEO on matters such as education, testing and investigations and provide advice to assist in the development, implementation and continuous improvement of the delivery of ASADA's core business. The advisory group will consist of a chair and a small group of members comprising individuals with relevant skills in areas such as education, stakeholder services, sports medicine, sports law, ethics and investigations.

It is really important that this group works closely with all sports. I really believe that Australian sport is the cleanest. That is through the efforts of ASADA, but it is also about education. There is no silver bullet to address this issue. I think the education of young athletes is paramount because it is when they are 10, 11 or 12 years old that they set their own standards, their own agenda and their own ideas about what is fair and what is best for them. As a coach of elite athletes during my time with the AFL, I found that what you teach the kids at that stage of their lives they carry right through their career. I am currently training with a friend of mine, Duncan MacGillivray, whom I coached when he was 15 years old. He went on to play for six years at Penrith, two years at South Sydney Rabbitohs and four years at Wakefield Trinity. He had a 12-year professional rugby league career and he has just moved back to Darwin. I am hanging out with him and doing some training and some weights.

He was a second rower but did not carry a lot of weight. As a medium-sized player who played in a tough position, he said there was enormous pressure on him to use performance-enhancing drugs in order to put weight on. I thank God that he did not. He is a healthy specimen. He played for 12 years on his natural ability. He is certainly a role model for all the young players of the future in Darwin. They do not need to go down that track. Duncan MacGillivray was a lightweight footballer with a lot of determination, a lot of heart and a very
good work ethic. He was able to edge out a career with the body structure he inherited when he was born.

The bill also introduces changes to the mechanism by which the National Anti-Doping Scheme will be amended in the future. Currently, ASADA can amend the National Anti-Doping Scheme through a disallowable legislative instrument. It is a very important bill. I fully support the minister on this issue. I think it is paramount that as a society, and certainly in our sporting community, we continue to have an anti-drugs approach and a zero-tolerance attitude towards enhancing performance through the use of drugs. I commend all the speakers who have spoken on this bill—especially the member for Cowan and the member for Makin, who have had personal experience in their own sports. The member for Cowan’s career has involved body-building and those types of activities, and he has an enormous amount of knowledge on this subject.

It will be a difficult process to continue to be vigilant in this area. I know that some countries around the world certainly do not have our vigilance and our zero-tolerance attitude. As a coach, I never wanted to put any of my athletes in a dangerous position and I never wanted them to suffer the long-term effects of decisions that I made as a coach, or decisions that our strength and conditioning coaches may have made on their behalf. I think we really have a duty of care. As a coach, you have got an enormous amount of responsibility, and when the final siren goes you want to make sure that everyone who has been in your care is not worse off because of it. When it comes down to preparing your athletes, there is no room in sport at all to enhance their preparation through the use of substances. It is not only cheating and making it an unfair playing field for all participants, but very often it is putting the life of your athletes at risk. I do not think it is an acceptable position.

I commend ASADA and I also commend the sporting organisations right across Australia that have got accreditation through their coaching programs. With my accreditation in the last 10 to 15 years as a level 2 rugby league coach, as well as a level 3 Aussie Rules coach, I think Australia is at the forefront of accreditation of our coaches. It is a holistic approach, not just teaching the skills of the game but also teaching the safety aspects of the game and educating young people about the dangers of not only social drugs but also anabolic steroids and performance-enhancing drugs.

As I said, it will be an ongoing battle. Australia has absolutely led the world with our stance on performance-enhancing drugs. I am happy to have spoken today in support of the minister. I think this is a really good bill. It is non-controversial. I know from the comments and contributions made that it is supported by those opposite. Very rarely do I agree with what the member for O’Connor says in this place, but, in his absence, I thought he made a very worthy contribution, and one that I support, on pain-killing injections. As a coach, that is a duty of care issue that you have for your athletes.

The DEPUTY SPEAKER (Mr S Georganas)—The debate is interrupted in accordance with standing order 192. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.
Petition: Medicare Cataract Surgery Rebate

Mr SIMPKINS (Cowan) (6.40 pm)—I rise to take the opportunity to raise the concern of hundreds of my constituents and other residents in the northern suburbs of Perth about the government’s decision to cut the rebate for cataract surgery from $623 to $311. I also seek leave to present this in-order petition of 442 names under the name of principal petitioner Maureen Grierson.

Leave granted.

The petition read as follows—

To the honourable The Speaker and members of the House of Representatives
This petition of the citizens of Western Australia
Draws to the attention of the House: Concerns over the recent 50% Budget cut to the Medicare Cataract Surgery Rebate, which is now down from $623 to $311. This will result in additional costs to patients and may therefore mean that some are forced to delay or abandon surgery.
We therefore ask the House to: Immediately reinstate the required funding that is desperately needed to continue the Federal Government’s Medicare Cataract Surgery Rebate.

from 442 citizens

Petition received.

Mr SIMPKINS—This petition is a demonstration of the depth of community concern that the people of Perth have for this issue, because it is an issue that affects real people, the people whose names appear on the petition. This decision has a human cost and an outcome where those who can least afford to pay extra will be forced to pay extra or they will be forced to endure delays to surgery. This is about a reduction to the rebate that will seriously impact upon the 70 per cent of operations that are undertaken in the private system and the 30 per cent in the public system. The impact will fall on 120,000 to 140,000 Australians who need that surgery each year. The cost will be delays in access to surgery and greater cost for those in the public system, and it will undermine the current no-gap arrangements for private health insurance products. With any reduction in cataract surgery access by distance or cost there comes a downstream cost of risk to health for those who cannot get the surgery, in terms of falls, broken bones, depression and social exclusion. The government have made a mistake and they should do as my petitioners ask and restore the rebate to provide access for those who need it.

Mr Gray (Brand—Parliamentary Secretary for Western and Northern Australia) (6.41 pm)—On Friday I was deeply saddened by the news that Paul Andrews, the former state member for Southern River, had died after a long battle with kidney disease and cancer. Paul was born on 11 November 1955 in Bunbury, Western Australia, and was a member of the Western Australian Legislative Assembly from 2001 to 2008. He began his professional life as a teacher and was a long-time supporter of the Australian Labor Party. He worked on many campaigns and contested several elections for Labor before successfully entering parliament in 2001.
During his time in parliament he was known as a strong supporter and advocate for organ donation and the fight against kidney disease, a condition which he battled for much of his life. He earned deep respect from both sides of politics for his fair and reasonable conduct while Acting Speaker and for his work on parliamentary committees. Paul believed that parliament was essential for maintaining a humane and civilised society and endeavoured to ensure that he and his colleagues behaved in a manner consistent with that. Paul was passionate about his community and worked tirelessly to improve the quality of life for all in Southern River. Paul was an outstanding parliamentarian. Paul is survived by his wife, Gim-Hoon, and his children, Lara, Rebecca and Peter.

**Pacific Highway**

Mr HARTSUYKER (Cowper) (6.42 pm)—On 22 October there was yet another horrific fatal accident on the Pacific Highway in my electorate, which involved three trucks and two cars. The accident occurred near Macksville. The Pacific Highway runs the length of my electorate and most of that highway is undivided road. The people I represent are at risk every time they travel north or south in the electorate. We have local traffic mixing with heavy vehicles. It is a deadly combination. It is essential that governments redouble their efforts to complete the duplication of the highway as quickly as possible. There is a bipartisan support for the completion of this project as quickly as possible.

The federal government has let the New South Wales government off the hook in only requiring a contribution of some $500 million up to 2014. This compares to a federal contribution of $3.1 billion. We should be demanding dollar-for-dollar funding from the New South Wales state government and increasing the federal contribution to the road project if it is to be completed within a realistic time frame. Every year the completion date is revised further out into the future. The people of the North Coast deserve better. Highway 1 needs to be priority 1 at both the federal and state levels. Our towns need to be bypassed. We need to get the trucks out of our main streets on the North Coast of New South Wales. North Coast residents have been waiting far too long. The government needs to do better.

Ms JACKSON (Hasluck) (6.44 pm)—I want to join with my colleague the member for Brand and pay tribute to a former state Labor colleague, Paul Andrews. Paul passed away on Thursday night, 22 October, at the age of 54 after losing his battle with cancer. Paul was elected to the state seat of Southern River in February 2001. He held the seat until the 2008 state election. The state seat is encompassed within my federal seat of Hasluck and I worked with Paul over many years—many, many footpaths were pounded in doorknocking and many, many school graduations were attended together.

Paul was well liked by his electorate. He, his office and staff were well respected for their hard work, advocacy and representation on behalf of his constituents. Paul was a teacher before entering the parliament and remained passionate about education in schools. He was delighted by the Rudd government’s education revolution. He was also a transplant recipient. He had two kidney transplants, one of which was from his wife Gim. Paul battled kidney disease for 20 years. He championed organ transplants in the parliament and in the community. Paul was a committed and loving family man. My deepest sympathy goes to Gim and their three kids, Lara, Rebecca and Peter. Paul will be missed.
Mr BRUCE SCOTT (Maranoa) (6.45 pm)—I rise tonight and call on the government to continue funding the National Schools Chaplaincy Program. This initiative, which has been highly popular in my electorate and, I know, right across Australia, was started by the former coalition government to provide the staff and students of schools with Christian pastoral care. More than $1.6 million was provided to schools in my electorate of Maranoa in the last two years of the Howard government and in the first two years of the program.

I was out in the western part of my electorate in the Diamantina shire about 12 months ago and I was saying to the local Aboriginal elder of a very remote community how wonderful it was that they had applied for some of the chaplaincy money and received it. She said to me, ‘Yes, Bruce, it is wonderful. We have to do this for the young ones.’ For me that says it all. Whether it is the Aboriginal elders in a community or whether it is the schools where 97 per cent of principals across Australia believe this is a positive program, I believe this is a program that must continue. It is one that requires the federal government’s financial support and I am calling on the Prime Minister to continue that support through funding for the chaplaincy service. The three-year program is about to run out and as we end this school year the schools need to know that next year they will have funding for this chaplaincy service. We have recently had a very successful Stock Up for Hope droving trek in my electorate. The community raised over $300,000 for that program, and I urge the government to put this program back as a priority.

Mr ZAPPIA (Makin) (6.47 pm)—On Sunday 25 October I attended the special 40th anniversary church service at St David’s Catholic Church in the Makin electorate. The service was led by Father George Ryan, who is presently one of the parish priests, along with Father Andrew Chen and Father Slawek Plonka, and administers at St David’s Church and at Our Lady of Hope Chapel at Greenwith, also located within the Makin electorate.

St David’s Church was officially opened in 1969 by Archbishop Beovich and in 1977 St David’s Catholic School was subsequently established adjacent to the church. Over the years St David’s parish has been served by some 32 oblate priests and through their leadership the parish has grown and become an integral part of the north-east community of Adelaide. Today St David’s parish has grown further to include not only Our Lady of Hope Chapel School at Greenwith but also Gleeson Secondary College at Golden Grove and St Francis Xavier’s school at Wynn Vale.

Through the church and school communities St David’s parish today is associated with extensive educational, humanitarian and spiritual services both locally and overseas. I particularly mention that amongst its humanitarian activities St David’s parish has taken a special interest in supporting orphaned children in China. I take this opportunity to collectively acknowledge and thank the many people who 40 years ago conceived and, with much hard work, built the St David’s parish church and in the years that followed all the people who over the past 40 years have contributed to its service to humanity, providing services which are needed today no less than they were 40 years ago as we face global challenges arising from climate change, political unrest in many nations and rising poverty associated with the global economic downturn.
Mrs Maggie Richardson

Mr IRONS (Swan) (6.48 pm)—Maggie Richardson, a senior from Lathlain in my electorate of Swan, has been given the prestigious WA Senior of the Year award for her outstanding contribution to the community. Maggie, who is 78 years old, has a fantastic enthusiasm for life which is reflected in her scope of volunteering. Maggie is a founding member of the Positive Ageing Foundation and presently works four days a week as an unpaid volunteer. Over the past 13 years Maggie has volunteered as a tour guide at Perth Zoo and also at Rottnest Island, where Maggie supervised 10-kilometre walks. Maggie is a member of the Community Peer Education Council, which represents the interests of seniors, and is also a member of the Arthritis Foundation of WA. Somehow Maggie even finds time to give talks to seniors on a range of health issues such as depression.

Maggie’s accomplishments send a positive message to seniors everywhere about how to keep active and enjoying life after 65. Maggie’s approach to life is ‘use it or lose it’—keep happy and healthy by remaining independent and active for as long as possible. I have met Maggie’s son Martin who owns a security business, and I am sure he and the rest of Maggie’s family are impressed by their mother’s achievements. My office spoke to Maggie last week to wish her luck ahead of the Burswood awards ceremony, and today I send my congratulations and those, I am sure, of federal parliament to Maggie. This year is Maggie’s year. The recognition by the community of Maggie’s efforts should encourage all seniors and all community members to participate in life and the community. Well done, Maggie Richardson.

Ms Freda Whitlam AM

Mr BRADBURY (Lindsay) (6.50 pm)—I recently had the pleasure of attending a civic reception at which the title ‘Honoured Citizen of the City of Penrith’ was bestowed upon a great woman, Freda Whitlam AM. Freda has devoted the best part of her life to education, her faith, her community and the pursuit of social justice. As a gifted leader and passionate educator, Freda served as the Principal of the Presbyterian Ladies College at Croydon from 1958 to 1976. After settling in the Penrith area in the 1970s, Freda could see the pressing need for expanded educational opportunities for residents in Sydney’s west and soon became one of the most prominent advocates in the campaign that led to the establishment of the University of Western Sydney.

In 1985, Freda became one of the first women to hold office as the Moderator of the New South Wales Synod of the Uniting Church. As a fervent believer in lifelong learning, Freda helped to found in 1990 the Nepean-Blue Mountains-Chifley Chapter of the University of the Third Age, which runs courses for older Australians who refuse to let their age stop them from learning. In 1987, Freda was given one of the country’s highest honours when she was made a Member of the Order of Australia for her service to education and the community. Freda joins Ron Mulock AO, Faye Lo Po’ AM and Peter Anderson AM as an Honoured Citizen of the City of Penrith. Freda Whitlam AM is a remarkable woman and a great friend of Penrith. This award is well deserved and I thank her for her contribution and her friendship.

Mitchell Youth Leadership Forum

Mr HAWKE (Mitchell) (6.51 pm)—I want to congratulate everyone involved in this year’s Mitchell Youth Leadership Forum, which was successfully held last weekend in my electorate. The Mitchell Youth Leadership Forum has been running for eight years, since
2002, at Vision Valley in Arcadia. It is the vision of my predecessor, Alan Cadman, who did a great job in putting together what has remained a lasting legacy to his skill and vision. This year we had 123 year 11 students from 15 schools, 32 small group leaders and eight activities leaders—and, of course, all of the committee attended after a year of hard work in putting together a great forum. The speakers offered great experience and motivation to the participants in the forum. The speakers were Glen Gerryn, Bernie Quinn, Mary-Ruth Mendel, Matthew Campbell and Brett Murray. I thank all the committee members for their hard work and effort at the meetings that we hold year round in order to get this forum together. The committee members are Ronie Quinn, Bernie Quinn, Matt Beard, Mark Hohnen, Terry Swan, Steve Edwards, Alain Vella, Roberta Bell and Matt Puleo. They all do a fine and fantastic job for the youth in Mitchell.

Mr Malcolm Towle
Mr Mark Hutchings

Mr BRADBURY (Lindsay) (6.52 pm)—I rise to pay tribute to a number of hard-working and selfless volunteers in my community. Two men from the electorate of Lindsay—Malcolm Towle, of Kingswood, and Mark Hutchings, of St Marys—were this year admitted as Officers of the Order of St John. The Order of St John, which is invested on its recipients by the Governor, recognises outstanding volunteers and their service to St John Ambulance. Malcolm has been part of the St John Ambulance service since 1996, when he joined the Penrith Division. He became Divisional Officer-in-Charge in 1998 and Divisional Superintendent in 2005. Mark joined the St John Ambulance service in 1989 and has played a key role in training new volunteers. He is currently the organisation’s State Staff Officer-Cadets.

Combined, both men have contributed more than 21,000 hours to volunteering for St John Ambulance—the equivalent of every weekend of the year for eight years. As volunteers for St John Ambulance, Malcolm and Mark have helped to care for complete strangers in need of medical attention and have trained others in first aid and resuscitation. As Divisional President of the St Mary cadets of St John ambulance, I take this opportunity to congratulate not only Malcolm and Mark but all the volunteers at St John Ambulance, including the St Mary cadets, for their many hours of service to the community and for their dedication to helping others.

Gippsland Rotary Centenary House

Mr CHESTER (Gippsland) (6.54 pm)—I was very impressed at the Gippsland Rotary Centenary House on Saturday night by a fundraising initiative to secure additional funding for the next nine units required by this magnificent charity in the electorate of Gippsland. The people of Traralgon and the broader Latrobe Valley area rallied strongly to raise about $20,000 by auctioning items. The Rotary clubs right across our region have worked tirelessly over the past five years to secure this fantastic facility, which provides support for cancer sufferers and their families as they attend the Gippsland Cancer Care Centre at Latrobe Regional Hospital in my electorate. I wish them every success in the future.

The DEPUTY SPEAKER (Mr S Georganas)—Order! The time allocated for members’ statements has now expired.
Debate resumed, on motion by Mr Chester:

That the House:

(1) notes that National Landcare Week, 7 to 13 September in 2009, commemorated 20 years of service across Australia;

(2) recognises that Landcare:

(a) is primarily a community driven, grassroots organisation that involves local people achieving locally significant environmental aims; and

(b) volunteers make an extraordinary contribution by understanding practical environmental work; and

(3) highlights the need for ongoing funding to employ Landcare facilitators and coordinators who play a pivotal role in:

(a) managing the volunteer programs;

(b) assisting community groups;

(c) providing professional advice; and

(d) mobilising volunteer effort.

The DEPUTY SPEAKER (Mr S Georganas)—The question is that the motion be agreed to.

Mr CHESTER (Gippsland) (6.55 pm)—Just over a month ago Australia commemorated National Landcare Week, recognising 20 years of outstanding service and practical environmental work across our nation. Landcare has enjoyed bipartisan support and there are now more than 4,500 community Landcare groups in operation. To mark Landcare Week, the Minister for Agriculture, Fisheries and Forestry distributed a media release to recognise the fact that more than 100,000 volunteers roll up their sleeves in communities each year to replant vegetation, repair erosion and improve agricultural production. There is no doubt that the minister knows in theory what Landcare does, but there is a great deal of concern throughout regional communities about whether the minister actually understands how Landcare facilitates this great work and the importance of Landcare groups to the fabric of regional communities and about whether Landcare will continue to prosper in the future.

As much as members in this place lecture about the forecast impact of climate change, they should always remember the people who are on the ground actually getting their hands dirty to undertake the practical environmental work that helps to sustain our natural heritage. Our farmers are often vilified by those who have little understanding of the fact that it is the families on the land and in our regional towns who have adopted the Landcare message of sustainability and done the hard work that is required to enhance their properties and the natural environment, and it is with this in mind that I have moved the motion before the House.

In recent months my office has been contacted by dozens of Landcare volunteers and paid staff members who believe this government has failed to understand the need to employ facilitators and coordinators, who play a pivotal role in managing the volunteer programs, assisting community groups, providing professional advice and mobilising volunteer effort. As I said at the outset, Landcare has enjoyed bipartisan support throughout its history, but I am...
deeply concerned by the correspondence that I have received and the meetings I have attended with my constituents. The Victorian Landcare Network shares my concerns about federal government cuts to funding for natural resource management under the Caring for our Country business plan. The network wrote to the minister in August this year, and in that letter secretary Kevin Spence said:

We are concerned that, under the business plan, Landcare coordinator positions and facilitator positions will no longer be funded by the Australian government unless they are linked to priority projects.

The letter went on to highlight that there were 142 Landcare support staff working on the ground to support Landcare groups in Victoria during 2007-08. According to the information that I have received from regional areas, that number is likely to fall to less than 35 before the end of this year. Already there have been a substantial number of cuts to these positions made across Gippsland, with many people being made redundant across my electorate. A senior catchment management authority executive in Victoria has also written to me and commented:

Whilst the Caring for our Country business plan talks about the importance of Landcare and community capacity building, there is not one single dollar being allocated to the capacity, skills, knowledge and engagement targets.

There is no doubt that facilitation of Landcare funded by the Australian government is dead and whilst this may not mean the total destruction of Landcare, it will dramatically reduce the number of groups and participants.

It concerns me that those views are being expressed by people in such senior roles in the catchment management organisations in Victoria. Those concerns were also expressed by the Victorian Landcare Network. The letter from Mr Spence continued:

The VLN considers that a loss of Landcare support staff will have a critical effect on maintaining the long-term participation and engagement of the community in natural resource management.

Our concerns are mirrored by the Landcare community who question the rationale and economics of dissolving the goodwill, trust and experience built up over many years—knowledge and networks will inevitably erode.

Without coordinators and facilitators providing that level of support and communication, many Landcare groups would lose initiative, greatly reducing the capacity to participate effectively in natural resource management.

This is an issue, as I said at the outset, of significant concern right across the nation, particularly in my electorate of Gippsland. On 15 November there will be an East Gippsland community rally in protest at the cuts to Landcare funding. Residents will gather at the Orbost Snowy Rovers Football Club from 11 am to 3 pm. While it will be a community day with a free barbecue and fun for the family, it will be underpinned by a very serious message. The community is angry that this government is reducing its commitment to Landcare, and it is a story that is being played out on a national scale. The National Landcare Network distributed a media release on 7 July this year in which spokesman David Walker said that, of the $403 million in funding announced by the federal government, just $1.4 million, or 0.3 per cent, had gone to community Landcare. He went on to say:

Landcare has a proven track record in producing best practice environmental outcomes and in growing and maintaining important social and community networks. The strength of landcare is its local focus and character. Ministers Burke and Garrett must ensure that grassroots landcare has a place within their Caring for our Country program.
Regional Australians are proud of their contribution to sustainable and environmental management through Landcare in the past 20 years. It is a remarkable organisation that must never be taken for granted by anyone in this place. Without ongoing funding to support the role played by the facilitators, the coordinators and the volunteers themselves, the Landcare organisation will become a shadow of its former self, and I doubt that we will be here in 20 years time commemorating the great achievements of the Landcare volunteers across our nation.

Ms HALL (Shortland) (7.00 pm)—I rise to put it on record that the Rudd government is highly supportive of Landcare. This can be seen by funding commitments to the program through this parliament and through this government. Those on the other side of this House tend to be totally negative about any support given by the government to organisations such as Landcare.

I am a long-term supporter of Landcare. Landcare plays a very important role in the electorate I represent in this parliament. The Shortland electorate is very environmentally sensitive. It is situated between the ocean and a series of lakes. In the electorate, and in the whole of Lake Macquarie for that matter, we have enormous and longstanding commitments made by Landcare groups. In fact, I am so committed to Landcare that I am a member of the Lake Macquarie Landcare public funding management committee, which meets regularly to organise funding and support for Landcare groups throughout Lake Macquarie.

I will share with you some of the fine work that is done by Landcare groups in the Shortland electorate. The first point is that the financial contribution made by volunteers through Landcare in the previous year came to about $3.6 million—that is in volunteer hours given by people. It is all about people taking pride in their community. It is all about people taking pride in the environment. Landcare plays a very important role, not only in bush areas but also in areas like the Shortland electorate. Landcare is fundamentally a grassroots volunteer movement supported by all three levels of government and the corporate sector in partnership with the community, to facilitate community stewardship of their own environment. So it is a whole-of-community grassroots organisation. Landcarers have a passion for seeing that our natural environment is managed so that it will be there for future generations to enjoy and to benefit from. Landcare volunteers are people from all walks of life.

I recently had an afternoon tea for seniors in the Shortland electorate—and I am sure other members did a similar thing—where seniors were presented with certificates for their contributions to our community. At that particular ceremony there were a number of volunteers that worked with Landcare groups. Valentine Landcare group was represented, along with Galgabba Landcare group. Landcare has been classified into six different areas: wetland sites, riparian sites, coastal sites, rainforest sites, bushland sites and foreshore sites. That is the way we do it in Lake Macquarie.

In the few moments that I have remaining, I want to run through for the benefit of the parliament some of the 260 quality Landcare groups in Lake Macquarie that are located within the Shortland electorate. There is the Belmont Wetlands group, the Black Ned’s Bay Rejuvenation group, the Jewells group, the Pelican Blacksmith group, the Salts Bay group, the Warners Bay group, the Redhead Bluff group, and the Floraville Gully Ridge and Rainforest group. I will make special reference to this group because it works in conjunction with the Floraville Public School and provides a wonderful learning environment for so many of the
young people who are associated with that school. It gives them the ability to be involved in
the long-term care and appreciation of their environment and that is reflected in the fact that
they have won the Sydney Morning Herald environmental award on a number of occasions.
(Time expired)

Mr COULTON (Parkes) (7.05 pm)—I follow my friend and colleague the member for
Shortland. While I appreciate her contribution I am afraid she is grossly out of touch with the
sentiment that is flowing through Landcare organisations right throughout Australia. Indeed, I
have spent much of the last 12 months visiting Landcare groups and natural resource manage-
ment groups from Cape York throughout the rest of Australia and there is a degree of an-
ger that I do not believe I have ever seen before in such a large volunteer organisation.

Indeed, Landcare is one of the greatest volunteer organisations in Australia, with the largest
number of members, and people are walking away from it in droves. In July last year a deci-
sion was made by the Rudd government to rebadge the former coalition government’s Natural
Heritage Trust and National Action Plan for Salinity and Water Quality programs and rebrand
them as Caring for our Country. This was the first step in the government’s dismantling of
grassroots conservation in this country. In just over 12 months the Caring for our Country
program has virtually decimated the extremely successful conservation and resource man-
gement work that was undertaken through the Natural Heritage Trust program. It has also
left natural resources management organisations in tatters and jeopardised the future of Land-
care groups across Australia.

The initial reworking of the Natural Heritage Trust and the National Action Plan for Salin-
ity and Water Quality programs saw funding cut for catchment management bodies by 40 per
cent and Landcare by 20 per cent. Over the past year the size of these cuts seems to have risen
dramatically resulting in Landcare groups across Australia, particularly in regional New South
Wales, facing an increasingly uncertain future. Last year has been disastrous for Australia’s
grassroots environmental movement. Many Landcare groups have had their funding halved
and are running on little more than the smell of an oily rag.

What was once a remarkable example of nationwide grassroots conservationism is slowly
being destroyed by a ballooning environmental bureaucracy. Moneys that were previously
allocated for improvements in water quality, salinity management and biodiversity are now
going to government agencies and staff who are managing these programs without having
ever spent a day of their lives amongst the weeds on the riverbank or the cracked earth of a
drought affected paddock. Indeed, this is a classic example of top-down, government-knows-
best bureaucracy.

I believe the failures of the Caring for our Country program perfectly illustrate the hypoc-
risy of this government. When it suits him, the Prime Minister is more than happy to tell any-
one who will listen that combating the threats posed by climate change is the greatest moral
challenge of our time. However, when the opportunity presents itself to do something practi-
cal to ensure the long-term productivity and sustainability of our natural environment the
government do not want to know about it. While publicly masquerading as a green tinged
party with an environmental conscience the government are privately destroying the grass-
roots community groups that form the backbone of conservation in this country. If the gov-
ernment were serious about combating climate change, the first thing they would be doing is
boosting funding to Landcare groups and giving expert local environmentalists certainty in their careers.

It is telling that of the 1,300 applications that were lodged for natural resource management funding under the Caring for our Country program 1,243 were rejected. This was an incredible rejection rate and one that has disheartened Landcare groups across Australia. The fact that just 56 applications were approved—and in New South Wales not one single cent went west of the Blue Mountains—highlights the serious design flaws of the Caring for our Country program. These applications are not easily done. To have any chance of obtaining funding Landcare groups are required to navigate an exhausting 30-page application that asks groups to fill out their funding needs in intricate detail.

Some groups have said the application has taken up to 200 hours to complete, often at great expense. One natural resource management group, for example, spent $80,000 putting together a professional submission for a Caring for our Country grant after being encouraged to apply by the Department of Agriculture, Fisheries and Forestry. They were very optimistic after being assured by the department of the importance of the unique conservation work they were carrying out. They did not receive one cent.

The changes forced upon Landcare groups through the Caring for our Country program are causing great angst among Landcare managers. One senior manager has told me that the federal government’s approach to investing in Landcare and biodiversity conservation is creating many tensions within the community, industry and project staff. Among the long list of concerns that have been raised by groups about the new process, the three that feature consistently are that it completely fails to support regional and remote land managers, that it stripped funding available to continue critical projects and that the process is leaving the dwindling number of natural resource management project staff with no job security due to the government’s insistence on month-on-month—

Mr CHEESEMAN (Corangamite) (7.10 pm)—Tonight I rise to praise the work of Landcare groups around the country, particularly the work undertaken by Landcare groups within my seat of Corangamite. The geography of my seat is unique. We have a very famous coastline. We have the Great Ocean Road. We have the Surf Coast and the Bellarine Peninsula. We also have some famous Ramsar wetlands and very famous national parks, particularly the Great Otway National Park. It is as a consequence of that unique landscape that I have within my seat a particular passion for the work that Landcare undertakes and for that of its sister organisations such as Coastcare.

I will say a little on the history of Landcare. Landcare was formally established under the Hawke Labor government, with then Minister John Kerin and the late Minister Peter Cook playing a very substantial role in establishing a national Landcare network. At that point, they planned to have by the year 2000 somewhere in the vicinity of 2,000 Landcare groups scattered across the length and breadth of our great nation. In fact, today we have more than 4,000 groups that have been established within Australia, and I think that is absolutely fantastic. Landcare plays an important role in the conservation of our land and the economic sustainability of, particularly, our farming communities. Three-quarters of Australia’s farmers are in one way or another engaged in Landcare in Australia. I certainly think Landcare would be unique on the world stage as an example of participation in a voluntary sense.
The Rudd Labor government is a very strong supporter of Landcare, particularly given that it was our great party, the Australian Labor Party, that established Landcare in a formal sense in the mid-1980s. The Rudd government is spending more than $2 billion on natural resource management in the first five years of our platform Caring for our Country, which is a very substantial contribution to our landscape and which I think will play a very significant role. The federal government is also spending $189 million on Landcare over the same period of time under that platform. The federal Minister for Agriculture, Fisheries and Forestry, the Hon. Tony Burke, has announced $33.6 million over four years for a national network of Landcare facilitators to play that important role of organising and driving the work that Landcare needs to undertake throughout the nation. Ministers Garrett and Burke have also announced $5 million for small grants of up to $20,000 for community natural resource management groups such as Landcare, Coastcare and other groups. Corangamite, being a regional electorate, has many important Landcare initiatives being supported by local farmers in partnership with the Rudd Labor government. I think somewhere in the vicinity of $150,000 has been made available to the Otway Agroforestry Network, who work in a very productive way with Landcare.

The DEPUTY SPEAKER (Mr S Georganas)—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. The member will have leave to continue speaking when the debate is resumed.

Australian Food Labelling Standards

Debate resumed, on motion by Mr Zappia:

That the House:

(1) notes the widespread calls from throughout the community to provide more clarity with respect to Australian food labelling standards;
(2) acknowledges progress made to date in ensuring that Australian food labelling laws provide consumers with the relevant and clear information that they require to make informed product choices;
(3) notes that Australian producers and consumers will benefit from clearer food labelling laws and that there are economic and health outcomes related to this matter;
(4) acknowledges the importance of this matter to both Australian producers and consumers; and
(5) notes and supports the review being undertaken by the Australian and New Zealand Food Regulation Ministerial Council and asks the Minister for Health and Ageing to consider any options available to speed up the review process.

Mr ZAPPIA (Makin) (7.15 pm)—This is a matter that has been the subject of much public debate and public disquiet for some years, including in recent years strong commentary from the Productivity Commission. Put simply, Australian consumers have a right to know where the products they purchase come from and what is in them. In other words, people want clear, easy to read and easy to understand labelling laws. That is even more the case in relation to food products, where the current labelling laws are anything but clear. I accept that this is a complex issue, given the range of matters that labels are expected to provide information about, including nutritional information, use-by dates, health warnings, trans-fatty acid content, allergen information, daily intake guides, and the source country of products or ingredients. However, I believe we can do better and the Australian people I speak to expect more clarity.
At present we have a situation where, at federal level, both the Minister for Agriculture, Fisheries and Forestry and the minister for health have an interest in different aspects of food importation but where the responsibility for regulation and enforcement of the standard falls to the states. To further complicate the onus of responsibility, the Australian Made logo and the similar trademarks used are administered by a non-government organisation. But the confusion does not stop there. For consumers, terms such as ‘product of Australia’, ‘Australian made’, and ‘Australian grown’ all have a level of haziness or ambiguity about their meaning. Australian branding of products has significant market appeal, a fact well understood by product manufacturers and so, not surprisingly, there is considerable resistance to providing clarity as to product labelling by some sectors of the community. On the significance of the Australian-made brand, if I may refer to it in that context, I note that last year, at a time of global economic recession, some 79 per cent of our food exporters—people who were exporting Australian-made products—either still experienced an increase in their sales or at least maintained sales equivalent to those of the previous year. That says a lot about Australian products at a time when the market has constricted and that certainly highlights and proves the point that Australian products are in demand both here in Australia and overseas.

With respect to food products, consumers not only have the right to know product origin and content, but they often need to know for health related reasons. They need to know exactly what is in food because, depending on what is in the food that they are consuming, it may or may not have serious health implications for them, and that is why it is absolutely critical that they know. There are no international standards with respect to food production and preparation. Food produced outside of Australia is not produced to the same standards as that produced in Australia. I do not for one minute suggest that everything produced in Australia is absolutely perfect. But I do suggest that in Australia we produce food to a much more acceptable level of standard than many of the products that we import from overseas countries. For example, we do not know what chemicals have been used in foods that are produced overseas or what hygiene standards have been used in the manufacture of food that comes in from overseas, and therefore we do not know what the health risks associated with that food are.

In 2007-08 Australia imported $9 billion of food products. That was a 10 per cent growth from the previous year, and it is a growing industry. In some cases these were foods that were not produced at all in Australia and did not compete for market share with Australian products. I accept that. But in many other cases they were marketed in direct competition with Australian produce, in turn placing Australia’s farming, agricultural and horticultural sectors under even more pressure than they are currently facing as a result of drought, floods, other extreme weather events and the global economic recession. They also faced a problem with a monopolised market.

I welcome the announcement last Friday by the Parliamentary Secretary for Health that Dr Neal Blewett has been appointed to oversee a review of Australian food-labelling laws in this country. I welcome that review and I appreciate the terms of reference that have been attached to it. I urge the review panel to deal with this issue as a matter of urgency, and I certainly look forward to the review panel’s recommendations.

Mr FORREST (Mallee) (7.20 pm)—I support the member for Makin in bringing this motion to the attention of the parliament. I have been in this place a long time and was raising
issues in the early nineties about truth in labelling. I remember what was probably my first question in the early nineties to the then Minister for Consumer Affairs, the Hon. Jeannette McHugh, in the Keating government. She instituted some processes to put clarity into ‘Made in Australia’. But what I want to offer tonight is a slightly different tack to that of the member for Makin. His resolution is about health concerns, and I support that. My concern, representing food producers, is to engage in activities that encourage Australians to do what they want to do. Consumers have indicated that they want to support Australian products, because they are aware that this is supporting employment in Australian jobs. They are very loyal. In fact, it is quite a barbecue stopper for someone to pick up the sauce bottle or the orange juice at a barbecue and make some comment about where it came from or where it was made. The point I would like to make is that we already have tools in place to address this. The Hon. Warren Truss was the minister in the Howard government who introduced and reinforced the concept of ‘Product of Australia’.

I have brought along some products tonight, and I hope I have the indulgence of members in the House, and your indulgence, Mr Deputy Speaker, to use these props. It is a pity the standing orders do not allow for it. The point I want to make is just how confusing it is for consumers. These products have been provided to me by food producers in my electorate. Here is a product: it is breakfast cereal.

The DEPUTY SPEAKER (Mr S Georganas)—I would just remind the member that we are not allowed to use props, and I will stick with the rulings of other speakers and deputy speakers on this.

Mr FORREST—I will simply make reference to them then. This is the product of an Australian company, and yet it does not have ‘Product of Australia’ on it. It does have the symbol for ‘Made in Australia’ with the flying kangaroo. Here is a sugar product from a famous sugar company which everybody would assume was Australian but which does not have ‘Product of Australia’ on it. That means it must have some level of imported product in it.

The DEPUTY SPEAKER—I will ask the member once again not to use the props, please.

Mr FORREST—that is a great shame, because all I am trying to demonstrate is how confusing it is for consumers when they are in the supermarket and in a hurry. They are probably driven by the final bill for the product, but they still want to support Australian-made products.

I believe we have the legislative tools to deal with this. We have ‘Product of Australia’ and ‘produce of Australia’, and wherever there is a label that does not have that on it, consumers can guarantee that it is not Australian, or that it has some imported ingredient—even Vegemite. I often enjoy, when I have international visitors, coming home to put Vegemite on the toast and introduce them to Vegemite, a purely Australian product. And yet it does not have—and they are not by law allowed to put—‘produce of Australia’ on it because they have to rely on some imported ingredients. The tools are there to have absolute truth.

I would like to see the member for Makin encourage his government to put some effort into this, to educate those Australian consumers who want to support Australian producers, particularly of food, so that they understand what that label ‘Product of Australia’ or ‘produce of Australia’ means. Take an Australian wine bottle which has ‘produce of Australia’ on it. They can be guaranteed 100 per cent that all ingredients are made within Australia. Obviously the
producers of these products are aware of Australian loyalty; they will go to great lengths to say that the company is owned in Australia. They will put labels on it to say, ‘Made in Australia’ but ‘from imported ingredients’. The power is with the people. We need to have them educated to the point where they understand clearly what ‘Product of Australia’ really means, so that they will support it. If we can achieve that, the packagers and processors of the food will put ‘Product of Australia’ as high as they possibly can, subject to the limits of their products’ packaging. I have even got a sample of Castlemaine rock, which comes not from my electorate but from the electorate of the member for Bendigo. It proudly has ‘Product of Australia’ printed on it in very large letters. Australians know that they can buy that confidently, knowing that they are 100 per cent supporting Australian jobs. They are not confused. As the member for Makin made the point, there is a proliferation of—

Mr RIPOLL (Oxley) (7.25 pm)—I firstly want to thank the member for Makin for moving tonight’s motion on food labelling standards. It is an exceptionally important area of legislation, and a lot of good can be done in a community sense by getting these sorts of frameworks right. I commend the member for putting this forward. I note for the record that I have spoken on these types of issues—such as food labelling and other standards, as well as genetically modified foods and other products—on a number of occasions over many years. I have a very real interest in these things, mainly because they are issues of consumer protection, consumer rights and the ability of people to make free and fully informed decisions about the types of products they consume. Getting that framework right is about getting labelling right in more than one area, so I again congratulate the member for Makin for tonight’s motion on these particular standards.

Of course, food labelling is not just about what is contained within a food product itself but also about how much you pay for it, what its value is, what its weight is, the additives that are contained in it and a whole range of issues that affect us today more than they ever have in the past, because of the complex nature of and the variety of ways in which foods are brought to our table. It is exceptionally complex for interested people, let alone intelligent people, to decipher or make sense of what a food label actually tells you. This is so for anyone who is in the practice of reading them, and I hope that most people are; I know I am. I still do the shopping. I still think I am reasonably well grounded. I can tell you the price of a loaf of bread in any range, colour or size—or, for that matter, of the 368 different types of milk containers that are on the market.

The reality is that it is important to know not only what is in a product but how it compares to other food products on the shelves. The basis of all of this comes back to the standard of our food labelling and how that works for ordinary people, because the labelling itself is what people use to understand what it is they buy. Having that right is critically important, and, while I think we have certainly come a long way and that food labelling is better than it was at times in the past, it still has room for improvement. This government has certainly been very active in making sure that we get these things correct for consumers, and I note the good work that Minister Bowen has done in terms of unit pricing and the importance that plays. I am a beneficiary of some of that, because when I go shopping with my family I always explain to my kids that they should look at what they are purchasing, look at the label, understand where their money is going and understand how much it is per unit or per hundred grams or how many you actually get in a packet.
I do that so that, when they buy something off a shelf, they actually understand what they are purchasing—what is inside that package or can. And I have to say that these days I find myself buying fewer and fewer things that are contained in a packet or in a can. I am not passing a particular judgment, as I think that some food products that come in a can are quite healthy and quite good. And if the labelling is right then I think it is quite okay. But, generally speaking, it would be better, and it would help our farmers, if people bought fresh produce. The more people make a conscious choice to buy from the butcher, from the baker, from the farmers’ market, from the smaller grocery store, from the fresh food store and from the fruit and vegetable outlet, the more opportunity they have to be in touch with what they are purchasing and probably the less labelling they will need. If you are buying fresh fruit and fresh vegetables, or meat from your butcher, you do not need as much labelling, because you know that not much else has gone into it, apart from the product you are actually purchasing. I would encourage consumers to take more of that approach.

But in the absence of that I understand the time or location difficulties there are for people. They find themselves spending all of their food dollars at a particular store. I am not going to mention any in this place. The only weapon they have to arm themselves with to make a clear and conscious choice is decent product labelling. I commend any work that this government is doing and has done and any work that has been done previously to ensure that consumers know what they are buying, what they are paying for and what impact it may have on their health and that of their families.

Mr RAMSEY (Grey) (7.30 pm)—I rise to support this motion and to thank the member for Makin for putting it forward. It is a line of inquiry that I am also pursuing through some of my parliamentary committees to try to encourage them to do work in this area. In particular I am interested in imported foodstuffs and the people’s ability to make informed choices about their shopping practices. Australia has a reputation for producing some of the cleanest, freshest and safest food in the world; however, with many major food products we no longer have the cheapest. That is not to say that, if all foods in the Australian market had to be produced in the same safe, quality assured manner using our minimum standards, our industries would not be competitive.

I recently obtained an AQIS list of foodstuffs imported from China in the last six months. It is sobering reading—over 5,000 different items: thousands of tonnes of prawns, nuts, meats, shellfish, prepared foods, sauces and vegetables. The list goes on and on. I doubt we have any real idea how most of the food was produced, under what levels of hygiene it was produced and packed and what the quality of the water it was grown in and the chemicals which were used to grow it were. Are those chemicals banned in Australia? Of course, it is not just China; there are fish from Vietnam and Thailand and even food from India. Products are pouring in from all over the world.

Just last week we heard that we will now allow the importation of beef from countries with mad cow disease. If you gave the public adequate information on this product—for example, ‘This beef has been imported from a country with mad cow disease’—I would suggest that sales might be a little sluggish! But you can be sure that that sign will not be appearing on the product. Our beef industry is a multimillion-dollar export earner for Australia, and can we be sure there are no biosecurity risks and, even more importantly, no public health risks? I have been to Vietnam, and a wonderful, beautiful and industrious country it is, even as it deals with
some difficulties in governance. But, although only a casual observer at the time, I could not help observing the conditions of the prawn farms. I allege they would be highly unlikely to pass Australian health tests. In fact, large tonnage of catfish is imported into Australia under another name. My understanding of catfish is that they dwell in the dirtiest of water and consume the filthiest of foods, but the Australian population lives largely in blissful ignorance of all this.

I am in favour of free and fair trade; however, production not meeting the conditions our locals producers must is not fair on either the growers or the consumers. We turn our memory to the recent melamine scandal coming out of China. Are we convinced that our imported processed food from that nation is free of that contaminant? I understand part of China’s crackdown on this practice has involved lifting the maximum allowable standard of melamine in the product. So where are the safeguards? Unfortunately, they are difficult to find. Supposedly we are protected by AQIS, the very same organisation the government is planning to withdraw $40 million from. That is 40 per cent of their budget. And then we expect them to protect us! It is impossible not to think that in that event there may be shortcuts.

We should have a full understanding of where our food comes from. Even though there have been reforms in labelling over the years, I am far from convinced the public understands the messages in the labelling. We can have education programs encouraging people to read and understand the labels, but at the heart of the problem is that the public trusts the government and its institutions to guard them from poor standards. I am far from convinced that, as this explosion of imported food threatens to bury the cleanest, freshest food industry in the world, we are being properly protected. I support this private members’ motion and thank the member for presenting it. I support it because it does address some of the issues I have raised, supplying better information to the public. I suspect, though, we will have to do much more than just this to address many of those issues.

Mr GEORGANAS (Hindmarsh) (7.34 pm)—I too rise in support of the motion of the member for Makin and am in agreeance with most of what has been said by previous speakers. This is an extremely important motion and it is very important for the consumers of Australia. Consumers throughout the nation desire best practice when it comes to food labelling. Consumers have every right to know exactly where their product was grown, where it was produced and what effects it might have on them. More informative labelling is continually desired by consumers and has been progressed over time through the Food Standards Code, the Australia and New Zealand Food Regulation Ministerial Council and Food Standards Australia New Zealand. Historical advances have been made in some regulations, with ‘made in’ becoming ‘manufactured in’, and ‘produce of’ requiring a minimum 50 per cent of the cost of the production to be in a certain area.

Consumers, as I said, want to know where products come from. They have a desire to buy Australian products. There was a very good point made earlier by a previous speaker, the member for Mallee, that certain products are labelled ‘made in Australia’ or ‘produce of Australia’ but that that is not necessarily the case with some other products because of the 50 per cent production rule that we have. So country of origin is extremely important as well. Recently I received some calls from constituents that had dentures that were made in China. After they had been made and fitted, they discovered that these dentures had been made in China.
at approximately $150 total cost, yet they were still charged what we would charge here for
dentures, which was in the thousands.

As I said, the quality of mass produced food products is being investigated currently within
the context of general human health, development and function, and food benefits are also
something that people want to know about. The former health minister Dr Blewett has been
appointed as chair of the Australia and New Zealand Food Regulation Ministerial Council. It
determined at its 12th meeting about a year ago to undertake a comprehensive review of food
labelling law and policy, and the terms of reference have now been agreed to and released. I
wish him the wisdom of Solomon and hope for the successful completion of the task.

In the past, we have seen many cases of products that have come from countries that do not
have the same stringent laws that we do. Australia is right up there on a pedestal when it
comes to our produce. We have a name on the international markets for good, clean produce,
and it is very important that we maintain the good name that we have internationally for our
food exports and for our farmers. As I said, most consumers want to know where their product
comes from. If we can make labelling simpler and easier for people to read—with the facts—
we will find that more Australians will prefer buying Australian made products.

Recently I was on an inquiry into obesity, and people submitted to the inquiry that labelling
was very confusing. People told us that they wanted to know what is in products but found
labelling extremely confusing, with low sugars, high sugars, sucrose et cetera. Everyone was
telling us that they wanted something simpler to read, something understandable and some-
thing that will tell them what is in the product, where the product comes from and any dangers
that might be in the product. There is an emerging desire here and around the world for envi-
ronmental labelling as well. It is a new factor in assessing food products which is coming over
the horizon. For example, ‘water footprint’ measures the volume of water used in the produc-
tion of the food, whether it be cheese, beef, coffee or whatever. These are things that are
emerging and that we want to see in labelling. (Time expired)

**Mr JOHN COBB** (Calare) (7.39 pm)—On the question of food labelling, questions on no-
notice from the Senate agriculture committee budget estimates reveal that hundreds of jobs are
being lost because of the failure of the current Rudd government to deliver on its promise to
clarify country of origin labelling requirements. The figures show that in just a three-month
period Australia imported over 290,000 kilograms of home brand peanut butter, peanuts and
beer nuts from China. All up, from February to May 2009, 994,635—almost a million—
kilograms of nuts, mostly peanuts and peanut butter, were imported from China alone. In the
same period, almost half a million kilograms—454,706 kilograms—of prawns and shrimp
were imported from China. I find it incredible that Australia, the home of Kingaroy, cannot
produce its own peanut butter.

A recent media report stated that food imports will reach a record $8.5 billion in 2008-09,
raising fears that Australia is sacrificing economic growth, jobs and food security and threat-
ening food safety. The food industry fears that as consumers buy more home brand products
the level of imports will continue to rise. Fruit and vegetables top the list of import categories
at $1.7 billion in 2008-09, followed by seafood at $1.3 billion; coffee, tea, cocoa and spices at
$1.2 billion; cereals at $800 million; dairy at $600 million; and meat at $575 million. Austral-
ia’s food-manufacturing sector was the largest manufacturing sector left in Australia, employ-
ing over a quarter of a million people, over half of whom are based in regional areas. Without
support, there is a danger of their jobs going the same way as our clothing and manufacturing sector.

The Rudd government promised to end the confusion surrounding food labelling by clarifying country of origin labelling requirements. The Labor Party’s pre-election policy stated:

A Rudd Labor Government will simplify and strengthen food labelling laws. This will include:

- A new ‘Grown in Australia’ label under the Trade Practices Act for products that are not only made in Australia, but also grown in Australia.
- Working with the organic food sector to develop a National Standard for Organic Produce with an agreed labelling and certification system for Australian produce.
- Consideration of amendments to the Food Standards Code to clarify country of origin labelling requirements.
- Strengthening compliance arrangements.

It is a disgrace that in the midst of the financial crisis this government has racked up billions of dollars of debt stimulating the economy but Australians still do not have a clue about where their food is being grown and manufactured. The failure of the Rudd government and the Labor Party to deliver on their pre-election promises is becoming more apparent by the day.

You only have to look at Coles and Woolworths. We all know how they will only buy Australian! They will only buy from where they will make their best quid; don’t worry about that. Let me tell you something. If the ETS and CPRS legislation moved in the House today comes into force, it will make our food even less competitive against the Chinese produce, for example, that Coles and Woolworths are increasingly using to stock their shelves. So I think this issue of food labelling is extraordinarily important, and we should be looking at it from the point of view of where the produce concerned is grown, not so much where it is labelled. Assuming it is done under proper circumstances, the issue is where it is grown. We all know how certain companies can use the laws to say it was packaged here or had Australian content because it was put together here, but the real issue is: where the heck was it grown? I believe that, until we get laws that reflect whether it was grown or produced in Australia rather than where it was packaged, canned or processed, we are always going to have this problem and we are always going to have Australian consumers who are subject to selling by stealth, as it were.

The DEPUTY SPEAKER (Ms AE Burke)—Order! The time allocated 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.

Forgotten Australians

Debate resumed, on motion by Mrs Gash:

Mrs GASH (Gilmore) (7.45 pm)—I seek leave to move amendments to my motion relating to the forgotten Australians.

Leave granted.

Mrs GASH—I move that the motion be amended in terms circulated to the honourable members in the Main Committee as follows:

That the House:

(1) recognises the extent of abuse and neglect inflicted on Australian children who were placed in the care of the Government in institutions or out of home care during the last century;

MAIN COMMITTEE
(2) acknowledges the neglect of all governments that allowed this abuse, pain and suffering to continue for so many years;
(3) acknowledges organisations such as the Care Leavers Australia Network (CLAN), Alliance for Forgotten Australians (AFA) and the Child Migrants Trust who have supported the forgotten Australians whose lives have been adversely affected as a result of their childhood abuse; and
(4) calls on the Government to continue working with the Opposition on an unequivocal apology to all victims of such abuse.

Mrs GASH—Some months ago I received a letter from a constituent, and it took me some time to absorb the enormity of the words. As I read I became ashamed of the fact that the story being told could have ever occurred. I was also filled with a rising disgust that in a country such as ours, despite how widespread these cases were, they were effectively condoned by silence, and I was compelled to present the motion to the House.

This is what the letter said, in part:

Re; Formal apology for the abuse and neglect suffered by children who were placed in government institutions or out of home care in the last century.

Dear Joanna Gash MP,

I would like you to hear the story of another victim. I did it in your electorate and I am hoping you will be my voice. I hope the apology won’t be a brief statement that makes these seven o’clock news and then fades away. The pain that I and others who have been abused feel will not just fade away. I would like to be able to attend any ceremony that might happen. I also feel that the States should have to apologise as well and not continue to be in denial that people who were in their employ did anything wrong.

With that introductory statement came a victim statement from the writer, a New South Wales ward. I will not mention his name but he is in my electorate and he was born in 1953. Today he is 56 years of age. Constraints of speaking time allow me to quote only excerpts which are in themselves quite heart-rending. His entire statement stands as an indictment of the practices that prevailed and were endured by countless innocent children.

And we owe them. An official, sincere apology from both government and the opposition should be just a starting point. I commend the New South Wales parliament for doing so and I urge the federal government to follow suit in a bipartisan apology. I acknowledge those organisations mentioned in the motion, and I support them and thank them for their continued support of the forgotten Australians. The following is a very small part of his statement. He said:

I was placed in Royelston in 1959 at the age of six and this is when my transition from an innocent child began. Limited memories of Royelston are both of physical, sexual and mental (humiliation) abuse. I was sexually assaulted and raped. I was sodomised anally and orally. I was held down, beaten and battered. I was physically assaulted, brutally punished, had my head banged against the wall, pushed to the ground and beaten for any infraction of the rules. Even answering slowly was a punishable offence. The sexual abuse was frequent. It was indeed a good night when after lights out, that a carer did not come and remove you from your cot and take you away to another room. Here was my induction into the world where sexual molestation and physical abuse was the norm and accepted behaviour. I tried to avoid being noticed. I was afraid of the rough punishment that was routinely handed out. I couldn’t bear the beatings or the humiliation I was subjected to because I had a problem with regard to soiling my underwear. I can clearly remember an instance of being paraded before the rest of the boys because I soiled my underwear due to sexual abuse. They used large dogs that used to growl and
snarl to frighten me, as an example to others. Physical abuse was used to beat me into letting them do whatever they desired.

This is just the second paragraph. His statement goes on to describe continuing abuse whilst in the hands of a foster parent. He speaks of his changed behaviour, inability to adapt socially, a failed marriage, and a constant state of heightened alert. He also writes:
I live with daily pain. I was given 10 shillings when I left the institution—

and I will use his concluding paragraph to summarise his pain. He said:

I wonder how much a politically correct apology from the Federal Government will be expected to make me and others in my situation feel better. The state of NSW told me that they have to protect the privacy of people who took away my childhood and had an enormous impact on my entire life from the age of six to this very day.

Mr Deputy Speaker Adams, I call on this House to issue an unequivocal genuine apology to all the children who have had their innocence stolen from them while they were in the alleged care of the Australian government sanctioned institutions. It is long overdue and a moral obligation that we owe them as a nation, and I call on the government to continue to work with the opposition to make this apology to all victims of such abuse.

As my time has now been increased from five minutes to 10 minutes, I would like to add the following. Just over two years ago a book titled *The Forgotten Children* was published by Random House. The author is David Hill, previously the managing director of the ABC, chairman of the Australian Football Association, chief executive and director of the State Rail Authority of New South Wales, chairman of Sydney Water Corporation and chairman of CREATE, a national organisation responsible for representing the interests of young people and children in institutional care. This is the publisher’s synopsis about David Hill’s story:

In 1959 David Hill’s mother, a poor single parent living in England, reluctantly decided to send her sons to Fairbridge Farm School in New South Wales, where she was led to believe they would have a good education and a better life. David was lucky. His mother was able to follow him out to Australia. But for most children the reality was shockingly different. From 1938 to 1974 thousands of parents were persuaded to sign over legal guardianship of their children to Fairbridge to solve a problem of child poverty in Britain while populating the colony. Many of those children have decided to speak out. Physical and sexual abuse were not uncommon, loneliness was rife, food was often inedible and the standard of education was appalling. Here for the first time is the story of the lives of the Fairbridge children, from the bizarre luxury of the voyage out to Australia to the harsh reality of their very first days, from the crushing daily routine to stolen moments of freedom and the struggle that defined life after leaving the school.

Despite the litany of abuse and the stories that continue to emerge of what occurred in some of our most respected institutions, our national government has so far not seen fit to apologise for the travesty. But, as I mentioned earlier, this will soon be rectified. Former Transport Workers Union vice-president Laurie Humphreys has set up the Forgotten Australian Alliance, an organisation intent on getting justice for the hundreds, if not thousands, of adults abused as children whilst wards of the state. Mr Humphreys says that 19 recommendations from a 2004 federal inquiry into forgotten Australians remain largely unactioned. The big one is for them to apologise to the forgotten Australians for the trauma caused by coming here in the first place and the experiences that they have suffered: lack of education, being battered, alleged sexual abuse and being institutionalised. He has also written a book called *A chip off what block?* It too is compelling reading. In March this year the ABC’s *Law Report* ran a story on
the forgotten generation, and the fact was reiterated that no apology had been forthcoming despite the extensive publicity of Sorry Day.

Just to bring into perspective the enormity of the story, over 500,000 Australians were raised in 500-plus orphanages, children’s homes and foster care, effectively the population of Tasmania. Governments of all persuasions over the years are equally guilty of neglecting these children. We as a parliament stand condemned for failing to include or even consider these children in the National Sorry Day when the opportunity was there. I thank the parliament for listening to the story of my constituent.

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

Mrs Vale—I second the amendment.

The DEPUTY SPEAKER—The question is that the amendment be agreed to.

Question agreed to.

The DEPUTY SPEAKER—The question now is that the motion, as amended, be agreed to.

Ms OWENS (Parramatta) (7.53 pm)—I rise today to recognise and acknowledge the pain and suffering inflicted upon more than 500,000 forgotten Australians in institutional care over the past century. I also rise to offer my support for a formal apology to the forgotten Australians, which the Minister for Families and Communities, Jennifer Macklin, has indicated will occur before the end of 2009. I know how welcome that apology would be to those women and girls who were incarcerated as girls in the Parramatta Girls Home in my electorate. For all those whose lives were diminished by government actions in these institutions an apology is long overdue.

The history of the forgotten Australians is particularly significant in the electorate of Parramatta, particularly for women. The historical precinct on the bank of the Parramatta River, which was home to the Parramatta Girls Home, is known as the Parramatta Female Factory Precinct and it has been a site of incarceration and institutionalisation of women from 1804 to the present day, which is over 200 years. It was the home of the Parramatta Girls Home last century but institutions of various types have been housed there, opened and closed, rebuilt, expanded or added to.

It is undoubtedly one of Australia’s most significant historical sites yet, like the stories of the children imprisoned there, it remains largely neglected and unknown. It was home to the first female convict factory in Australia, later an institution known as the Industrial School for Girls, then the Girls Training School, then the infamous Parramatta Girls Home and its current use is as a prison for women. The female factory at Parramatta was originally built in 1804 and acted as a workhouse, jail and a holding area for newly arrived female convicts and their children. It was the first of the 12 convict factories built around Australia.

In 1841 an orphanage was built adjoining the site and in 1844 with the arrival of children from a Catholic orphanage in Waverley it was renamed the Roman Catholic Orphans School. In 1886 the school was asked to vacate the building and the forerunner of the Parramatta Girls Home, the Industrial School for Females, was declared on 1 April 1887 with the transfer of girls from Biloela. Children were held there under one of two classifications. Firstly, there were those considered destitute, abandoned or orphaned, who were not deemed as corrupt; and, secondly, those who were deemed as having tendencies towards criminal behaviour. But
for both it was very much an institution. In 1897 additional isolation cells were built and in the following year there was a number of riots because of a lack of food. By 1910 there was a growing awareness that not all the girls sentenced to the Parramatta Industrial School were corrupt and this saw the establishment of a training home on the adjacent acre. The school was intended for girls of uncontrollable character but not of immoral tendencies but a few years later again trends changed and the schools were merged and renamed the Parramatta Girls Home. Even more isolation cells were built in 1834.

In 1961 there was a repeat of the riots and a derelict jail at Hay in regional New South Wales was gazetted as a maximum security annex of the Parramatta Girls Home and was named the Hay Girls Institution. Remember that these girls were not necessarily in the home because of any criminal tendencies. Tales were told by the Parra girls and the Hay girls of deprivation, of harsh discipline, of life behind walls, of keeping their eyes down, of beatings and of rape. Most of these girls had not committed any offence but had merely been placed in institutions under child welfare legislation. Their crimes included being neglected, being exposed to moral danger, being homeless or being uncontrollable. Many had run away from home because of violence and many were there simply for being Indigenous children who later became known as the stolen generation.

In 1973 a series of protests called for the closure of welfare institutions and in October 1974 the Parramatta Girls Home was not closed but was renamed Kamballa and continued to operate under the management of the child welfare department. In 1980 the Department of Corrective Services took over part of the site and established the periodic detention centre for women. It was closed in 1986, some 99 years after it was opened under a different name. Given that the Parramatta Girls Training School was the principal institution and remand centre for all girls aged between 11 and 18 years in the state of New South Wales until 1966, it is likely that possibly more than 50,000 girls passed through this institution. Of this somewhere between seven and 10 per cent would have been girls of Aboriginal descent.

The rich but tragic history of the site and the appalling stories of abuse and intimidation and its connection to so many contemporary women is told by Bonney Djuric in a recently completed history of the Parramatta Girls Home, Abandon All Hope. Bonney is the driving force behind the Parra girls, an extraordinary group of women who are still putting their lives together after a childhood in one of the most notorious institutions, the infamous Parramatta Girls Home. They are extraordinary women, the Parra girls, raising the profile of women who have similar histories but also of the site itself, a site of 200 years of the incarceration of women and ironically built on the sacred women’s site of the Barramatugal clan of the Darug nation. Bonney’s history is based on extensive research and the first accounts of survivors contributes to a broader understanding of how a system of care for girls was shaped and defined by many factors that would challenge societal perceptions and have shamed and silenced the Parramatta girls for far too long. Bonney describes the experience of the Parramatta girls:

‘Parramatta Training and Industrial School for Girls like its earlier counterpart, the Female Factory, was known for its notoriety and the control it exerted over the lives of all females who did not conform to whatever moral standards society expected of them. Its history is that of routine brutality, generalized ill-treatment and the denial of basic human rights where the principle of legal duty of care was entirely unknown or unrecognised.’

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‘Operating under the guise of a “School”, Parramatta’s regime was in stark contrast to that of philosophies of education. Its intent was uniformity, non-flexibility and the provision of the same “training” in the same way, at the same time and place, for groups of individuals of disparate age, capacity and physique to be moulded and compressed into mass produced performance units, exhibiting uniform requirements of compliance and subjugation of personality.’

‘… unlike mainstream schools which seek to maximise student achievement, “training” resulted in a suppression of achievement and a generation of near unemployability, and unsuitability for parenthood and family life.’

‘The sexual experience of some inmates was often enforced criminally by rape at the hands of employees paid to “care” for their wellbeing. This only served to reinforce girl’s sexual experience as one of violence, powerlessness and shame.’

So speaks Bonney Djuric of the Parramatta Girls Home.

I am lending my support to those trying to elevate the experiences of the forgotten Australians in the minds and hearts of Australians and to recognise the history of women, in this case, that was played out on this site, firstly as the Female Factory and then through the Parramatta Industrial School for Girls and finally the Parramatta Girls Home and Kamballa. It is an ugly story but it is a history that we should not back away from. It is a history that needs to be told. As many as one in five Australians today are descended from women who were once incarcerated in the Parramatta Female Factory Precinct, and members should consider that for a moment: 20 per cent of all Australians, over four million people, have a direct family link to women who were incarcerated on that site over its two-century history. Many others have a link to its use as a traditional sacred women’s site by the Burramattagal clan of the Dharug nation.

Children experienced these horrors—serious and often criminal physical, sexual and emotional abuse, neglect and assault—in the places that were supposed to care for them. As adult survivors they deserve acknowledgement of and an apology for that harm. The forgotten Australians already have an apology from all states and will soon have an apology from the Prime Minister. The Prime Minister will acknowledge and apologise for the failure of federal governments of all persuasions to protect these children and young women. Nothing is fixed by being forgotten, but the many stories of survival and overcoming deserve to have a great light shone upon them. They deserve prime location at the front of every Australian’s mind and they deserve to be valued as great Australian stories of tenacity and endurance. As Helen Keller said:

Character cannot be developed in ease and quiet. Only through experience of trial and suffering can the soul be strengthened, ambition inspired and success achieved.

Mrs VALE (Hughes) (8.03 pm)—I welcome the opportunity to speak on this moving issue of the forgotten Australians and I thank the member for Gilmore for bringing this matter to the attention of the House. The first part of this amended motion is:

That the House:

… recognises the extent of abuse and neglect inflicted on Australian children who were placed in the care of the Government in institutions or out of home care during the last century …

It is one of the darkest chapters of our nation’s history that, between the 1920s and 1990s, upwards of possibly more than 500,000 young Australians experienced care in an orphanage, home or another form of home care. These innocent children experienced abandonment and
loss of family, neglect, exploitation, brutality, sexual assault, poor health care, poor education and loss of identity. We can only imagine the daily experience of utter grief and desolation that they as children would have endured.

The legacy of their childhood experiences for far too many has been low self-esteem, lack of confidence, depression, fear, anger, shame, guilt, possessiveness, social anxieties, phobias and recurring nightmares. Unfortunately, many forgotten Australians have tried to block the pain of their past by resorting to substance abuse through lifelong alcohol and drug addictions. Some have also turned to illegal practices such as prostitution or more serious law-breaking offences that have resulted in a percentage of the prison population being care leavers.

An inquiry by the Senate Community Affairs References Committee began in 2004 and allowed many of these innocent children, who were now adults, to express their concerns and their experiences of being in the institutional care system. They were able to tell their personal stories and, in their telling, members of the committee were immensely moved and touched by their grieving, because the grief was very clear and present and unresolved. The committee received over 440 public submissions and 174 confidential submissions. The extensive nature of the inquiry is evident from the submissions received. Stories were received from care leavers who had been in government and nongovernment institutions or foster homes across all states in Australia spanning those 70 years.

Many hundreds of people opened their lives and the memories of traumatic childhood abuse and punishment to the committee in their public submissions and at the hearings. Some people were actually telling their story for the first time. Some of these stories remain so distressing that they asked for their name to be withheld or to be identified only by their first name. Many others, who for a range of reasons preferred that their identity remain undisclosed, provided confidential submissions. But all these people desperately wanted the committee to read and to hear what they had experienced in childhood and the impact that those events have had throughout their lives. They wanted their voice to be heard. The first recommendation from the report was:

That the Commonwealth Government issue a formal statement acknowledging, on behalf of the nation, the hurt and distress suffered by many children in institutional care, particularly the children who were victims of abuse and assault; and apologising for the harm caused to these children.

The government has announced that it will implement this recommendation and apologise to the forgotten Australians before the end of the year, and the opposition supports this important step forward.

Tomorrow is the inaugural meeting of Parliamentary Friends of the Forgotten Australians. I am advised that the minister will brief us on the details for the national apology and there will be representatives from the organisations that represent these forgotten Australians. I would like to take this opportunity to commend the work of the Alliance for Forgotten Australians, established in 2006 and formally launched by former Senator Andrew Murray on 16 October 2007. The Alliance for Forgotten Australians brought together existing funded and unfunded organisations that supported forgotten Australians to form a new national advocacy. The apology that will be given to these forgotten Australians will be like the apology to the Stolen Generation, but it is only a very small step in a very long journey for our forgotten Australians, the government and, most importantly, the ordinary people of Australia. It is a moral
imperative that we must all share to carry the burden of sadness that has been the dominant aspect of the lives of so many of these deserving fellow human beings. They deserve our love, our compassion and our practical support. I commend this amendment to the House.

Ms GEORGE (Throsby) (8.08 pm)—I thank the member for Gilmore for bringing this important matter to the attention of the House through this motion and for providing the opportunity to speak again on this significant national issue. The Australian community now acknowledges that the abuse and neglect suffered by many children in institutional or other out-of-home care during the last century was unacceptable. These matters have been the subject of three landmark Senate reports dating back as far as 2001. We know that many of the 500,000 children raised in more than 500 institutions in the period between 1920 and 1980 had been the victims of brutality, with many suffering from sexual and physical abuse.

The traumatic impact of such treatment was brought home to me at a very personal level by one of my constituents, Mr Geoff Meyers, who came to see me and talk about issues that he had not talked about very much at all. He is now 73 and, for a lot of that period, Geoff had been unable to discuss these matters of such a personal nature, even with members of his own family. In an adjournment speech several months ago I spoke about the experiences he had shared with me. Geoff was abandoned when 14 months old and made a ward of the state. The scars of being orphaned and institutionalised were difficult enough but were made manifestly more unbearable as he survived through periods of sexual and emotional abuse.

I noted in my earlier comments in the House that Geoff Meyers had said to me in that interview that an apology from the government was a very important issue for him. In his own words:

I would like Mr Rudd to come to my door and say, 'Mate, I know it happened to you and, even though I'm not responsible, I'm very sorry for what happened.'

Well, Geoff, it will not be long before the Rudd government responds positively to your request.

The Minister for Families, Housing, Community Services and Indigenous Affairs has already indicated that before year’s end, and even as soon as a matter of weeks from now, our government will issue a formal statement of acknowledgement and apology on behalf of the nation to forgotten Australians and former child migrants. As I understand it, the government is planning a significant remembrance event for that occasion. To help in the healing process, the Rudd Labor government has also provided $300,000 each to the Alliance for Forgotten Australians and the Care Leavers Australia Network, more commonly referred to as CLAN. I pay tribute this evening to the wonderful work, support and counselling provided by both organisations.

The member for Gilmore may not have been aware of the commitments I have outlined, the commitments already made by our government, when she submitted her motion. If she was, I have to wonder why her original resolution condemned the current government but was silent on the lack of meaningful responses by the Howard government to earlier Senate recommendations. I note tonight that she has presented her motion in an amended form and in the proper spirit of bipartisanship which this matter deserves. In thanking the member for Gilmore for submitting this motion, I would also like to draw her attention to further commitments made by the Rudd Labor government. One of those is our commitment to work with the National Library of Australia and the National Museum of Australia in deciding how best to record for
the historical record the experiences of the forgotten Australians, former child migrants and women and children affected by past adoption practices. I know that for Mr Meyers, along with many others who have been so scarred by their experiences, the day cannot come quickly enough when the government, on behalf of the nation, renders a formal apology.

Mr SIMPKINS (Cowan) (8.12 pm)—I also thank the member for Gilmore for bringing this motion before the House and allowing me the opportunity to speak on behalf of my constituents who have suffered and been affected by abuse. I would also like to take the opportunity to acknowledge Steve Irons, the member for Swan, for his strong advocacy in this matter. His passion comes from a personal perspective that I know drives him in this place. I know that he stands up for the people of Western Australia who suffered whilst in care.

The worst of all crimes are those against children, because these are the crimes where power and the advantage of strength is used to take control over victims. Criminals take control in circumstances where their victims have the disadvantage of inexperience and believe that they can trust adults. This is why these crimes are the worst. It is the most terrible example of power being used against the defenceless. It is reprehensible in every degree and every crime and law enforcement agency should—and I am sure does—give these crimes the highest priority.

The substance of this motion refers to child abuse and neglect in the last century. It is in relation to children who were placed in the care of government institutions. It also acknowledges the neglect of governments in allowing abuse, pain and suffering to continue for many years. The motion calls upon the government to issue an unequivocal apology to all of the victims, and I note that we are now certain that that will occur in the days before the end of the year. I welcome that apology.

In 2004, it was revealed that more than 500,000 Australian children were placed in foster care in orphanages and other sorts of institutions. Of those 500,000 children, there is no doubt that a significant number were abused and faced neglect. Through most of last century the controls on who was working in these institutions and in such roles were virtually nonexistent. There were no working with children checks and there was no exchange of information between jurisdictions. It was a different time, and what looked good on paper as trusted agencies, caring organisations and individuals, many church based, were in some cases anything but reliable. That is not to say that every nun, priest or other caregiver was a paedophile or a violent abuser of children. This was not the case.

However, that having been said, one of the great problems regarding child abuse, not only in the last century but also in this century, is where those who have not been directly involved but have known or suspected have not reported that information. It is hard to tell how many of the carers effectively gave their tacit consent to abuse and neglect by not reporting those crimes. It is my view that they stand condemned for their silence and that their actions are not far short of their being perpetrators. In any case they betrayed the trust placed in them and their duty as adults to protect children. It is therefore surprising that it was only last year in Western Australia that the Children and Community Services Amendment (Reporting Sexual Abuse of Children) Bill was passed. The result of that legislation was that, from 1 January this year, doctors, nurses, midwives, teachers and police officers were now required to submit a written mandatory reporting form in cases where they suspected abuse had occurred. So I applaud the Barnett government of Western Australia for bringing this long-awaited legislation

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into law, an important element of the fight against sexual abuse and neglect of children. Although it imposes a legal obligation on several professions, I say that it remains a moral obligation of every adult to report evidence of or suspicion of child abuse or neglect.

It is a statistic that a great proportion of cases of abuse and neglect are inflicted by a person known to the victim as either a family member or a family friend. That having been acknowledged, we must also acknowledge that other family members and family friends would be best placed to observe concerns or form suspicions. I say that those who do not act are as guilty of betrayal as were those who worked in the old institutions last century: those who suspected but did nothing.

It is hard to know whether the abuse and neglect of children is increasing or decreasing. In any case not a single case of abuse is tolerable and also a single suspicion that is not reported is not tolerable. Given the scale of abuse and neglect, it is appropriate that an apology be given and a strong expression of regret take place. However, I do look forward to the application of accountability to all perpetrators and to those who gave their tacit consent, as evidenced by the silence of betrayal of the weak and the defenceless. To those in Cowan who still carry the physical and emotional scars of their abuse and neglect, I say that I am sorry that the governments of this country did not ensure your safety and protect your childhood from abuse and neglect.

In this place it is our job to make sure that it can never happen again, and we should fight to do so as even one case is one case too many. Once again I thank the member for Gilmore for bringing this most important motion before the parliament. I look forward to the apology by this parliament to those who suffered being made as soon as possible. (Time expired)

The DEPUTY SPEAKER (Hon. JE Moylan)—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.

Magill Youth Training Centre

Debate resumed, on motion by Mr Briggs:

That the House:

(1) notes that:

(a) the young people detained in the Magill Youth Training Centre in South Australia are being held in degrading conditions; and

(b) in the assessment of Australia’s United Nations Youth Representative, Mr Chris Varney, this represents a breach of the United Nations Convention on the Rights of a Child;

(2) recognises that:

(a) in 2006, the South Australian Labor Government acknowledged that the centre was in need of replacement as it breached modern building codes and occupational health and safety requirements; and

(b) the South Australian Government is yet to keep its election promise; and

(3) calls on the Federal Youth Minister to intervene in this urgent matter and ensure that a new centre is built as promised by the South Australian Labor Government.

Mr BRIGGS (Mayo) (8.17 pm)—I rise to speak on the motion that I moved last month in relation to the Magill Youth Training Centre in my electorate in South Australia. The centre has been the subject of much controversy in recent times with the state Labor government
facing difficulties over the mismanagement of their budget over a long period of time during the whole eight years that they have been in government. That mismanagement that has occurred has been reflected by the fact that they had to make a decision to reverse a previous decision to build a new youth training centre in South Australia. This motion was moved in the same terms in the Senate by Senator Hanson-Young, the Greens senator from South Australia, and I know that the member for Mackellar would be surprised by that bipartisan arrangement. But it highlights the fact that such was the anger towards the state Labor government that we got together and moved that motion. She was successful in having it passed in the Senate to highlight just how badly the state Labor government have been managing their budget.

In the week following my putting this motion on the Notice Paper the South Australian government buckled under all the pressure and backflipped. I thought of removing it, given that the issue had been dealt with. But I thought it still presented an important opportunity to talk about the effects of governments mismanaging budgets by spending too much money such as the impacts that has on the delivery of services to the community. This issue was starkly brought to my attention by a visit from Chris Varney, who is Australia’s youth ambassador to the United Nations. Mr Varney was successful in being one of the very few people to gain access to see the conditions inside the Magill Youth Training Centre. We all accept that young offenders need to be incarcerated from time to time. They should be if they commit offences. However, they should be incarcerated in a humane way—and we have just seen a motion before this House in relation to the mistreatment of young people. I think it goes beyond doubt that the treatment of the young people in this centre was and is still today not appropriate.

This motion also sought to bring to public attention the role of the Minister for Early Childhood Education, Childcare and Youth whose job it is to represent young people of our country at a federal level. Her role is not just to represent youth in the positive circumstances as she often does, but more importantly, for those young people who are in difficult circumstances. This minister also has a unique relationship with the South Australian Labor government, in particular those who made the decision not to go ahead with the rebuilding of the Magill Training Centre. We thought it was important that the minister involve herself in trying to resolve this issue through her unique position. I must say it is disappointing that, after three months, I still have not received a reply to a letter I wrote bringing this issue to her attention, but I guess she is very busy.

The centre was planned to be replaced as far back as 1999 when the then South Australian Liberal government announced it was to be rebuilt at Cavan. However, this was shelved when the Labor government took office in 2002. In 2006, the Rann government announced it would rebuild a suite of correctional facilities. However, due to the mismanagement of the state budget, the Rann government had to cut that promise in last year’s budget. They are using the tough-on-crime rhetoric that we often see with media Mike Rann, and his sidekick, the Treasurer. We know that that is all spin and no substance given that the gang of 49 seem to be running around South Australia at the moment doing what they like.

The Magill Training Centre has been criticised by everyone; from the Greens in the Senate, to our side of politics, to their social inclusion adviser, Monsignor Cappo, who we all presume—given that the Treasurer says anyone who criticises this is soft on crime—is also in-
cluded in that criticism. Pressure from Stephen Wade, a spokesman in the state Liberal party; John Gardner, who is the candidate for Morialta; several media outlets, including Matt and Dave; and the state Labor government’s polling reflected that they needed to do something about it and thus we saw the backflip. A week after this motion was moved, the Minister for Families and Communities in South Australia, Jennifer Rankine, said that if they built this it would damage the state’s AAA credit rating.

That is quite an extraordinary announcement, that a $60 million one-off spend would actually damage the state’s AAA credit rating. It just highlights how this state Labor government’s waste and mismanagement over eight years has sent South Australia back to the bad old days of the State Bank. The worst thing is that we are seeing exactly the same thing in this national parliament today, with this Prime Minister. This government should be condemned for its waste and mismanagement.

Mr ZAPPIA (Makin) (8.22 pm)—I rise to speak on this matter in order to bring some balance and some factual material to this debate. Let me say from the outset that, while the member for Mayo talks about mismanagement by the current state Labor government in South Australia, I would like to point out to him a fact that he pretty much acknowledged himself towards the end of his contribution, that it was a state Labor government that brought the state finances to a point where the state today has a AAA credit rating, a rating that it has been able to maintain for several years now. You cannot, on one hand, be saying that you have mismanaged the state finances yet still maintain a AAA credit rating for your state. The two arguments simply are in contradiction to each other. This is a serious matter.

This is a very serious matter. So much so, that it is a matter that has been ongoing in South Australia for almost three decades. If time permits I will talk a little about its history. But I would say this in an attempt to highlight the seriousness of this matter: if you talk to our police, if you talk to our court officials, if you talk to the correctional services department, or if you talk to Monsignor David Cappo, the Commissioner for Social Inclusion in South Australia, they will all admit that it is a very complex matter to deal with. That is why it is a matter that still needs to be resolved the government of the day.

It is a complex matter because we are dealing with young lives and there are no simple fixes to the problems and situations that they often find themselves in. It is not an issue that you can find a simple fix to when you are dealing with criminal acts of people, regardless of age. The truth of the matter is that it goes back about three decades. It was in the early 1980s that the Labor government of the day began the process of rebuilding a new youth detention facility at Cavan, at Jonal Drive, and that facility still exists. It has, I think, space for about 36 young offenders.

Subsequently—I say subsequently—the Liberal government of the day did look to relocate the Magill facility to a site at Cavan, close to but not adjacent to the Jonal Drive site. They purchased that site in the nineties. I am well aware of that; I was involved in the negotiations. That was in 1999. In fact the decision was made before that. They left office in 2002, three years later. So to say that the Labor government then reneged on completing a commitment made by the previous Liberal government fails to take account of the fact that the Liberals had three years to follow through on it. The truth is that they too walked away from the decision to rebuild the Magill centre at Cavan and left it in limbo. The state Labor government did come to power and continued the negotiations as to where the best location for that facility ought to
be. The decision was not made lightly, because there are a lot of factors that you need to take into account when you build a detention facility of any kind—factors relating to access to it and access to family members of those people who are in custody.

That said, the decision was then made to continue and rebuild the new facility at Cavan. It was linked to the extensions to the adult facility at Mobilong, extensions which were packaged up as a $600 million investment in additional correctional facilities in South Australia. It is because of the $600 million figure that the state government had to revisit its commitment, not because of the $60 million that the member for Mayo would have you believe was the be-all and end-all of this decision. Ultimately the minister of the day has committed the $67 million to a new 60-bed facility at Goldsborough Road, at the original site where the land was set aside for this facility. The Jonal Drive facility, which as I said currently has room for 36 offenders, will be used to house the younger offenders in youth detention. I understand that $4 million will immediately be spent to provide a level of improvement to both the Magill facility and the Jonal Drive facility. This is a government that is responding to the needs of the community and is responsive to the obligations of government, and that is why it is making these investments. (Time expired)

The DEPUTY SPEAKER (Hon. JE Moylan)—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 19 October.

The DEPUTY SPEAKER (Hon. JE Moylan)—The question is:

That grievances be noted.

Gippsland Electorate: Gippsland Rotary Centenary House

Gippsland Electorate: Gippsland Plains Rail Trail

Mr CHESTER (Gippsland) (8.27 pm)—I rise to speak on two issues that certainly grieve me and many hundreds of people in my electorate: the federal government’s failure to provide funding to support the development of the second stage of Gippsland Rotary Centenary House and the upgrade of the Gippsland Plains Rail Trail. I will get to the specific details of the rail trail in a few moments, but I want to begin on a more positive note.

Earlier tonight in the House I briefly mentioned a fundraising auction which was held on Saturday night in Traralgon, at the Traralgon Vineyard, hosted by Leon and Margaret Hammond. It really was a magnificent setting, and it befitted the occasion given the magnificent generosity shown by Gippslanders on the evening. The generosity of Gippslanders was certainly on show. I believe that in excess of $20,000 was raised for Gippsland Rotary Centenary House on the evening. I commend the members of the fundraising committee for putting in the hard work that goes into arranging such an event, and I also commend the sponsors of the night. It typified the community spirit since the decision was made to build Centenary House.

I have spoken in the House before in relation to the Centenary House facility, and it really is quite extraordinary. It provides a home away from home for patients and their families attending Latrobe Regional Hospital and, primarily, patients of the Gippsland Cancer Care Cen-
tre. At the most vulnerable time in their lives, it is very reassuring for people in Gippsland to know that someone cares enough to help them out in this manner. I have visited Rotary Centenary House on several occasions, and it is always being improved, quite often by the partners of the patients, who come in and do odd jobs while their loved ones are receiving treatment and care at the nearby Latrobe Regional Hospital. It has been quite extraordinary to see this community facility developing in the way it has been.

This is the house that love, compassion and empathy have built. Everyone on the committee and all Rotarians in Gippsland should be proud of their achievement. The facility contains six large ensuite units and two smaller self-contained units, along with a communal kitchen, dining room and lounge facilities, a children’s play area and a quiet room for family consultation and privacy. Such a facility did not just happen overnight; it required an enormous amount of work and goodwill from the community and governments at all levels. In the first stage, $500,000 from the Community Support Fund was contributed by the state Labor government, $407,000 was contributed by the federal coalition government through the Sustainable Regions Program and Latrobe city provided the land, while Rotarians across Gippsland provided the people power, with a total of 432,000 coming through philanthropic trusts, including a $100,000 donation by the Ronald McDonald House Charities. The link to McDonald’s is very strong through the local benefactors, Kay and Tony Radford. I know the Radfords will be embarrassed to have their names acknowledged so publicly, but Kay is really a driving force behind the fundraising activities of the committee. Rotary clubs across Gippsland provided $350,000 to the first stage plus a range of in-kind donations. All up, it was a $2 million project that was officially launched by the former federal member for Gippsland, Peter McGauran, and the former state Labor member for Morwell, Brendan Jenkins.

I make the point regarding both the funding sources and the official opening to reflect the bipartisan support that round 1 of the project received and to appeal to the current governments at the state and federal levels to follow that example. There are now plans to build a further stage, and the volunteer board, led by the chairman, Ken Peake, have been successful in raising in the vicinity of $500,000. Federal funding was sought under the Jobs Fund, but the project’s bid for funding was unsuccessful in round 1. I think it is a sad indication that the demand for such a facility is there and growing so quickly that there is such a pressing concern in the community of Gippsland to build another nine units so desperately.

Centenary House is providing comfortable and affordable accommodation for Gippslanders when they are certainly at their most vulnerable. I have no doubt that the friendly and supportive environment which is provided in a safe and secure location is contributing to improved health outcomes for guests while they stay at Centenary House. It is important to note that functions like the fundraiser on Saturday night reflect the overwhelming generosity of Gippslanders, which has been seen right throughout this year, beginning with the fundraising that supported our bushfire victims earlier this year. Although Centenary House is located between Traralgon and Morwell, the main beneficiaries of this project come from further afield, with 82 per cent of the patients travelling from East Gippsland, Wellington and South Gippsland shires. I think it says a lot about the community of the Latrobe Valley and the businesses and residents, who are so willing to support this project, that they are the major sponsors and supporters of the Centenary House facility yet it is their neighbouring communities across Gippsland which actually receive the benefits of their hard work. I strongly urge the federal gov-
ernment ministers to work with their state colleagues in Victoria and support the extension of Centenary House as soon as possible.

I indicated at the outset that I also wanted to raise the issue of the Gippsland Plains Rail Trail. By way of background, the rail trail covers a distance of 65 kilometres through the towns of Traralgon, Glengarry, Toongabbie, Cowwarr, Heyfield, Tinamba, Maffra and Stratford. The trail follows the path of the disused railway line which connected these towns. This trail is a major tourist icon and a drawcard for touring cyclists and walkers alike. Funding was sought again under the Jobs Fund program to restore the Latrobe River timber trestle rail bridge, which was operational for over 100 years until its closure in 1986. This restoration will enable a seven-kilometre section of the trail between Traralgon and Glengarry to be opened up.

This is another project that has strong support in my community from people who are both passionate and determined to make a difference. In this case, the lady leading the charge is Helen Hoppner. She is a tireless worker for our community and an outstanding advocate of the rail trail. Helen is the current chairperson of the Gippsland Plains Rail Trail Committee and, as I said, she has worked tirelessly to promote the opportunities to develop this facility and to encourage state and federal governments to make a contribution to the ongoing upgrades.

The funding proposal that was submitted sought, I think, $340,000. During the construction phase of the project, five jobs are expected to be created on the site and local timbers will be sourced to use in the restoration work. As the application to the Jobs Fund indicated, it is a major tourist icon for the region which would attract some 20,500 touring cyclists, providing an economic benefit to the connected towns estimated at $6 million per annum, thus stimulating development of existing tourist establishments such as cafes, hotels, general stores, the accommodation sector such as the bed and breakfasts, wineries, cheese-making firms and other associated tourism industries.

Obviously some very important observations need to be made about providing opportunities for healthy lifestyles and encouraging people of all ages to exercise in a safe and relaxed environment. I take this opportunity to reflect on the fact that I often worry about the current need for cyclists to exercise on our main road environment right across Gippsland. It is difficult terrain, the visibility is not always that great and our roads have not necessarily been established with cyclists in mind. The broader issue concerning the safety of cyclists in our community needs to be addressed. There have been several tragic accidents in my electorate in the time that I have been a member of parliament, and one occurred quite recently. A local doctor, Heather Hunter, from Sale—a much-loved and well-respected physician in the Sale community—was struck and seriously injured. Heather is still in a critical condition and the thoughts and prayers of all Gippslanders are with Heather and her family and loved ones at this time.

In the context of the need to provide safe opportunities for people to exercise, it is important that the government carefully considers whether there are any opportunities to fund the further stage of the Gippsland Plains Rail Trail project in subsequent rounds of the jobs fund. The rail trail has a heritage component associated with it. The trestle bridge, which I referred to earlier, has historical significance. It operated for something in the order of 100 years, until its closure in 1986. It served to develop a resource-rich area, noted for its dairy farming, tim-
ber cutting and mining. Aesthetically, the bridge, together with its adjacent flood plain timber bridges, was regarded in the past as a notable and very attractive feature of the Latrobe River. It would be great to see the government in a position to support such a project in future funding rounds. It would obviously add some benefit to the tourism and economic base of the Gippsland region but also to the safety of the cycling community and to the health and well-being of the community more generally.

In the time that is left available to me, I also want to reflect briefly that, if such projects do get off the ground, we will be seeking government support to encourage local contractors to tender for any such work. The Gippsland Rotary Centenary House has benefited enormously from local traders undertaking the vast majority of that work. In the time leading up to Christmas, I will be running my own ‘Shopping locally’ campaign in the electorate of Gippsland, with the message of putting locals first. I want to encourage Gippsland mums and dads to seek the opportunity to purchase their Christmas presents wherever they can from the local business sector. We all know that, if you support local businesses in your country communities, you are helping to generate jobs for the future and provide opportunities for young people to remain in your towns. Something we can all do as members of parliament is to promote the benefits of our own regional communities by encouraging such initiatives in our regional areas. Despite the changes to the communications and printing entitlements, I am sure my communication will fit under the new criteria. There will be no disparaging remarks about any government ministers. It will be a very positive newsletter. It will promote the benefits of supporting local communities, putting locals first and creating jobs in the Gippsland region.

Far North Queensland: Infrastructure

Mr TURNOUR (Leichhardt) (8.38 pm)—The unemployment rate in Far North Queensland hit 13.8 per cent in September—one of the highest in the country, if not the highest. Unemployment has effectively doubled since the global financial crisis hit and led to the global recession. The tourism and construction industries in Cairns are being hard hit, and many people have lost their jobs or are under threat of losing their jobs through no fault of their own. This is why the government needed to act early and decisively in response to the global financial crisis through the support it provided in the Nation Building and Jobs Plan.

The Rudd government’s $42 billion economic stimulus through the Nation Building and Jobs Plan alone is contributing more than $150 million in education investments in my electorate of Leichhardt. This is on top of the $50 million investment we are making in a new dental school or the investments we are putting into schools through our trades training centres, including the construction of a new marine skills training centre. This is real bricks and mortar infrastructure. The schools modernisation program is the biggest in Australia’s history. Schools are receiving infrastructure refurbishments and other improvements that are well overdue, and local tradies—plumbers, carpenters and electricians—are getting solid work from it. I have visited a number of schools recently in Far North Queensland. I was out at Edge Hill State School looking at the work that Metro Builders are doing there. And it is a similar situation at Caravonica State School, where 40 or 50 tradies are getting work through the education project. Down at Hambeldon State School, Laurie Lindner builders have 20 or 30 fellows and women working, constructing a new library multipurpose centre—a $3 million investment.
Construction projects like these are going on all over my electorate, thanks to the government’s response to the global recession through our economic stimulus plan. Recently we announced another 218 social houses would be built in the region to further stimulate the local economy and the construction industry. These are in addition to the five defence houses that are currently well underway. In addition to the nation-building stimulus package, of which nearly 70 per cent is for infrastructure, Cairns has been recognised as an area that needs additional support. Cairns has been formally recognised, therefore, by the Australian government as a priority employment area.

Recently the government held a Keep Australia Working forum attended by the Minister for Employment Participation, Mark Arbib, and the Parliamentary Secretary for Employment, Jason Clare. The forum identified that work could be done to continue to support jobs in the short term but that we would also work to diversify our economy. We are an economy very much based on tourism and the construction industry, and people are tired of the boom-bust cycle. We need to ensure, though, in the short term that local businesses are getting the stimulus work. Many of these construction projects are only just getting underway, so we are running a major projects forum this Friday in partnership with the state government. It will not only include the stimulus projects but also projects like the dental school, investments in Indigenous housing and other Indigenous infrastructure, the state government’s $450 million hospital redevelopment and a major prison redevelopment at Lotus Glen. Lead contractors will be available at the major projects forum to hear directly from contractors about tendering and quoting for some of the jobs involved in the construction of these projects. This is important work that we are doing to make sure that local businesses are getting part of the action from the stimulus work, much of which is only just getting underway.

A local employment coordinator has been appointed to the region. Amanda Altman, who has been doing the job in the interim, has done a fantastic job. I would like to thank her and congratulate her for the work that she has been doing, including pulling together this major projects forum. Mr Peter Doutre will be starting as the coordinator next week. He is a man who brings great experience to the job. He has been a leader in Centrelink; he was involved in the Centrelink response to the Victorian bushfires and in the Northern Territory intervention. I am looking forward to him coming back to Cairns and starting work as our local employment coordinator. I am confident that his extensive experience will help us to combat the global recession and support jobs in our local community.

I also thank Minister Arbib. He has been very supportive, as have other ministers, of the work that I have been doing in the local community. In the past week I have spoken to the Prime Minister, the Deputy Prime Minister, Minister Ferguson, Minister Crean and others as well as Minister Arbib. We recognise that we need to continue to do work in the short term to support jobs. We had a jobs expo planned for next year, and I said to Minister Arbib that that was not good enough as we have seen unemployment continue to go up. He has agreed to bring that jobs forum forward to December so that young people leaving school in Cairns can go along to the forum, meet employers and get put in touch with real jobs. The apprenticeship kick-start program that kicks off on 1 December is going to be an important part of that forum as well. I am looking forward to Minister Arbib coming up directly after these parliamentary sittings to promote that and again meet with local employers.
Jobs are not created only by government; they are mainly created in the private sector and so we need to work with and partner the private sector. I was pleased that last week the peak business organisations in Cairns—Tourism Tropical North Queensland, Advance Cairns and the Cairns Chamber of Commerce—brought forward a new plan to keep Cairns people working. Their plan involves a range of different areas. We are already working on some of them, including access into Papua New Guinea in the mining sector, and we are looking at getting some of those mining companies to come to the jobs expo. The plan also talked about aviation access. This is something I have been working on with Minister Albanese to see how we can attract more international carriers into Cairns and in particular get them to triangulate through Cairns to major cities such as Sydney, Brisbane and Melbourne. I hope there will be some regulatory reform as an outcome from the aviation white paper due later this year. The local businesses plan also included requesting some changes to taxation. It proposed tax concessions for local Cairns employers through interest-free deferral of pay-as-you-go, GST contributions for employers until 30 June 2010 and tax-free use of annual leave until 31 March 2011. There are difficult issues involved when you start to look at getting tax concessions for a particular region, but I will be taking these up with the Treasurer and the Assistant Treasurer.

The ATO has already given special consideration to businesses doing it tough during the global recession. Where businesses are having difficulty meeting their tax debts, the ATO will be fair and reasonable, treating them with the empathy that they deserve. The ATO is more than willing to enter into payment arrangements, without penalties and the general interest charge, that suit business cash flow and see them through the worst effects of the global financial crisis. I thank the Treasurer and the Assistant Treasurer for their support on this. We have also seen measures like the reduction in pay-as-you-go tax instalments from nine per cent to two per cent in 2009-10 and, of course, the small business and general business tax breaks, which have been well utilised by small businesses in my electorate.

The plan called A New Deal for Cairns involves some local projects. One of them is a project that has been put forward by the Cairns Regional Council for a new performing arts precinct. The concept is something that I support. I think it is a fantastic concept: a performing arts centre on the waterfront. This is a $200 million plus project, though, and it really needs to be staged. The council need to bring forward a detailed business plan before we can effectively respond to this. They need to demonstrate how they are going to not only provide their share of the capital in terms of a local council but get the state on board. They also need to show how they will ensure the ongoing running costs of this facility. They are also talking about a proposal for the redevelopment of the city centre of Cairns. I think this is a fantastic idea. The community infrastructure program that Anthony Albanese has put together is something that we will look to in terms of that project.

The work that the Rudd government is doing and the partnerships that I am building with the local business community are really important in supporting jobs in our local community. That stands in stark contrast to the opposition who, since the beginning, have been opposing our stimulus measures. Just recently they were talking again about wanting to pull the rug out from under economies like mine in Cairns by pulling back on the stimulus measures. Unemployment is at almost 14 per cent in Cairns. Families are being impacted through no fault of their own and they do not need the opposition talking about stimulus being pulled back in places like Cairns. We are determined to continue to work with the local business community.
I will continue to work with my ministerial colleagues as part of the government—Minister Arbib, the Prime Minister, the Deputy Prime Minister and others—to make sure that we are doing all we can to support employment in my local community. I am pleased the local business community have brought forward their plan A New Deal for Cairns. I will continue to work with them, the local employment coordinator and the government to make sure that we can make a difference in the local community and support jobs in the short term while we work to diversify the economy of Cairns as we move forward.

Asylum Seekers

Dr STONE (Murray) (8.47 pm)—We have almost got used to the government at question time leaning across and screaming abuse at the opposition, calling them people who locked up children, who continued to lock up children until there was a change of government. Tampa is referred to. This is such a hypocritical business that I felt I should use this time to set some of the record straight. At the moment, there is the interception of a vessel in a zone near Indonesia at the request of the Australian government. The 255 people, including women and children, from Sri Lanka are still on board the boat in Indonesia with very little hope of being processed as asylum seekers any time soon. They have been on hunger strikes and the children are in distress, but they still remain there. I wonder what this government would have said if it were a coalition issue some years ago.

 Also, we recently had the so-called Indonesian solution announced, which suggests that this government can wash its hands of any responsibility for those being lured down to Australia with the new softened policies in relation to border security. The government simply says, ‘Indonesia, you put your foot out the door, try and trip these smugglers coming down and detain the people in your detention centres. We’ll pay you a lot to do that,’ knowing full well that the standards in the detention centres in Indonesia are not anything like the accepted standards of proper detention in Australian facilities, in terms of access to education, information, nutritional standards, outdoor space and even the security of those centres, yet this government is more than pleased to pass the buck.

I draw the chamber’s attention to an Australian Human Rights Commission report which has come out only in the last couple of days. It is called 2009 Immigration detention and offshore processing on Christmas Island. The Human Rights Commission details a number of areas of major concern. Amongst those is the detention of unaccompanied minors and families with children. It says:

Some children (including unaccompanied children) are detained in a closed immigration detention facility on Christmas Island—the ‘construction camp’. The Commission considers this a concerning regression from the 2005 changes to the Migration Act which affirmed the principle that children should only be detained as a last resort.

Of course it was the coalition who brought in the 2005 changes. This is a ‘regression’ from those changes.

There is a conflict of interest created by having the Minister for Immigration and Citizenship or DIAC officers acting as a legal guardian for unaccompanied minors—

the report continues—

detained on Christmas Island. There is also a lack of clarity about responsibilities and procedures relating to child welfare and protection for children in immigration detention on the island.
The commission goes on to say:

On arrival on Christmas Island, families and unaccompanied minors are placed into detention at the construction camp. According to DIAC, as soon as health, security and identity checks are completed, the Minister is asked to consider placing them into community detention. However, while some are moved after an initial period in the camp, others are not. In the Commission’s view, the shortage of community-based accommodation on Christmas Island is likely to be a key factor delaying or preventing a move to community detention for some families and unaccompanied minors.

We have to ask from the coalition’s point of view: why is there a shortage of community based accommodation. Quite simply, it is because this government is failing to deal with the numbers pouring on down now through the people-smugglers’ routes and this government is refusing to deal properly with those in detention now on Christmas Island, in particular the children. The report continues:

During the Commission’s visit—

and I am talking about the Human Rights Commission—

of the 82 children in immigration detention on the island, only 29 were in community detention. The other 53 were detained in the construction camp. Of the 53 children in the camp, the majority were 16 or 17 years old, but a significant proportion were younger—including 11 children aged between zero and five years. Thirty six of the children in the camp were unaccompanied.

It goes on to say:

… the construction camp is not an appropriate environment for children. It is a claustrophobic facility consisting of demountables linked by covered walkways. There is little open space, there are virtually no trees, and there is no open grassy area for children to play. The bedrooms are very small, with beds that are not appropriate for babies or young toddlers:

I need to echo the Human Rights Commission’s concerns about what is said publicly by this government and what is actually going on. I need to repeat what the Human Rights Commission says. It says:

The Commission is concerned that, on occasions, Australian Government statements about detention arrangements for children do not accurately reflect the current reality for children on Christmas Island. For example, an August 2009 press release stated:

It is Rudd Government policy that no child be held in an immigration detention centre and there are no children detained in the Christmas Island facility or any other detention centre. Children and where possible their families are housed in community accommodation.

As a further example, the DIAC website states:

Detention policy is administered with flexibility, fairness and in a timely manner. Arrangements introduced in 2005 provide for these requirements—

and of course 2005 was under the coalition. The report continues:

• the detention of families with children is to take place in the community under community detention rather than in immigration detention centres…

The Human Rights Commission goes on to say:

Statements such as these convey the impression that children are not held in closed immigration detention facilities, but are accommodated in community detention in community-based accommodation. They may have also contributed to recent media reports which wrongly state that children are no longer held in immigration detention. For many children on Christmas Island, that is not the case.
As discussed in section 11.3 above, many children are detained in a closed detention facility—the construction camp. DIAC’s classification of the construction camp as ‘alternative temporary detention in the community’ is misleading. The camp is not community-based accommodation. It is a closed facility from which detainees are not free to come and go.

So I need to repeat that this government is incredibly hypocritical, misleading and inhumane. With its policies, it has unravelled border security in this country. It has changed so many of the watertight secure arrangements and immigration policies which had stopped the people smugglers coming on down to Australia.

You will recall that today in question time I held up a chart that showed that there was virtually no people smuggling for the last five years in Australia. This government has unravelled those very important immigration strategies. Under those strategies, if you wished to come to Australia as a general skilled migrant there were pathways. There were pathways for families to have reunion access. There were also 13,500 humanitarian and refugee places for those who the UNHCR assists us to identify as the most in need, such as women and children out of Africa, Congolese families with eight, nine or children who would never be able to raise the American dollars to buy their way out of horrendous situations. This government has allowed that unravelling to occur. It has brought enormous distress to those who are in the queues and who are being bumped from coming through the front door.

But at the same time it is refusing to acknowledge or look after those asylum seekers who make it through to Christmas Island. I have read to you from the Australian Human Rights Commission report that was published just days ago. They are most concerned at the wrong statements that are being made publicly about children in detention on Christmas Island. They are very right to make those observations. They are sincere in their comments that there has in fact been—and I repeat—a regression from the 2005 changes to the Migration Act which affirmed that children should only be detained as a last resort. I am afraid that this is a disgraceful situation. I call upon this government to again address the pull factors that are bringing the people smugglers and their human cargo, people who are desperate and who are prepared to risk their lives. But I am concerned that the hypocrisy will continue. This government must deal with the facts, take responsibility for its actions and take actions to stop people smuggling.

Asylum Seekers
Preventative Health

Mr GEORGANAS (Hindmarsh) (8.57 pm)—Before I go on with what I was about to say, I was listening very carefully to the member for Murray’s contribution to the grievance debate, which was about people smugglers and refugees. I must say that I am very proud to be part of a government that is dealing with the situation in a level-headed way and sincere way, a way that is not inciting the Australian public. What the member for Murray did not tell us is what they are planning to do—what she would do if she were in government—and what the alternatives are. We have not heard any alternatives from the opposition at this point. I would like to repeat the questions the Minister for Foreign Affairs asked today: would they bring barbed wire? Would they bring back the Nauru project? Would they bring back temporary protection visas? These are questions that have not been answered by the opposition. In defence of the Rudd Labor government, we are dealing with the situation in a very level-headed
manner and in a way that is not inciting the Australian public. We are not using this for political purposes, which is something that we saw in the past.

I planned to speak about other things tonight. One of the things that I really wanted to speak about was preventative health. As Chair of the House of Representatives Standing Committee on Health and Ageing, I want to talk about the work that we do. We have spoken with many people—experts, professors, doctors and many people who know the area of health—and they have all been giving us one message. They have been all been telling us one thing: preventative health measures make the most sense. Preventative health measures are cheaper, less disruptive to people’s lives and cause less grief and fear, fewer side effects and complications. We know that from campaigns that have been run in the past that educating and teaching the public about what they can do to avoid illnesses works. We have seen many successful campaigns over the years.

It is a very important message that preventative health is common sense. I was disappointed that the Liberal Party today voted against the establishment of Australia’s first national preventive health agency. In doing so, the Liberal Party established itself as being possessed by the opposite of common sense: it was completely daft, irrational, illogical and irresponsible. Voting against the establishment of the Australian National Preventive Health Agency serves only to establish the opposition as obstructionist, devoid of policy and oblivious to the best interests of millions of Australians. By voting against this measure, they are voting against cheaper costs and less disruption to people’s lives and for the causes of more grief, fear, side-effects and complications, because preventative health is common sense and the way to go.

This could have been anticipated, looking at the positions of the Liberal Party over time—and there are many positions to look at. The opposition has only wanted to work in retrospect. For example, in government and now in opposition the coalition parties want to deal with climate change only after the Murray-Darling has become a desert, not before. They want to deal with the global recession after our economy collapses, not before. They want to deal with road, rail and harbour development only after the mining boom ends, not before. They want to deal with school retention rates after they bottom out, not before. They want to deal with crumbling public housing stock after it has been condemned, not before. Nothing could be more typical of the coalition parties than their desire to do nothing and blame everyone else after the fact. The opposition is always looking at the view to their rear. It is living in the past and politicking on current choice as a throwback to 2001. Its lot is to try to lead from the position of yesterday.

We all know that pensioners, and age pensioners in particular, have been doing it very tough for some time. I know this because I have one of the oldest electorates in the country. Well over 20 per cent of people in the electorate of Hindmarsh are aged 65 or over. Many of these people are pensioners, many of them are suffering ill health and many of them feel the effects of isolation in the community. These people have deserved more assistance. I have said this publicly for many years. I am pleased that the Rudd government was good enough to give pension increases last September in extremely difficult economic times. I praise the Rudd government for those pension increases.

Pensioners—the people I spoke about in my electorate, and in fact in electorates all over Australia—often are living without any savings and without any investments but with sub-
substantial recurrent costs to meet. They deserved the full increase in the pension that was handed out to them by the Rudd Labor government. So it is unacceptable that some state governments callously want to exploit some of the most vulnerable in our community, as I read in the paper yesterday. I read that some states may increase some public housing rents because of the increase in the pension. They cynically double-deal with the goodwill of the Rudd government and take more than they should for public housing services. Since coming to power, the Rudd government has done more to assist our most vulnerable than the previous government did in over a decade. This was the first substantial increase in pensions, and it took a Rudd Labor government to come up with that increase. What each state is doing on this front is yet to become crystal clear, but they should each be aware of the likely consequences of trying to exploit the needy in our community. Those pensioners deserve that increase, they deserve that extra amount of money, and to claw it back by increasing public housing rents I think is a very callous act. But we are yet to see this story fully played out.

Another issue in my electorate is a Telstra issue. It has diminished the service it is making available to customers through MPs’ offices. I am not sure about other MPs in other states, but in my state of South Australia previously there were contact points within each electorate office to speak to and resolve constituents’ issues with Telstra. This particular service has been revoked and we have been told to only use email to put our complaints forward or to see how we can have a particular constituent’s inquiry investigated. The customer service people who used to take our calls and assist us were extremely helpful, but that service is no longer available to MPs—at least in South Australia.

Mr Lindsay—That is not right; I have immediate contact with Telstra.

Mr GEORGANAS—This letter came through my office. I received it last week and I would be more than happy to show it to the member. It says that you should only email this particular department to resolve your issues and that they are not taking phone calls. So again Telstra have revamped their assistance services to reduce the direct customer contact that MPs’ offices can have; it is indicative of a company which has an attitude that betrays a disrespect for customers, a disregard of quality service and an orientation towards working behind closed doors—out of sight, out of earshot and removed from those they preferred not to be associated too closely with.

Telstra has incited frustration for years. We saw the frustration it has caused the many pensioners when it wanted to charge them $2 if they did not have an internet service to receive their bills. I have raised this before. Even though there is an application they can make not to be charged the $2 if they do not have the internet services, I think it is a callous company that wants to charge you for sending you a bill. I again praise the Rudd government for taking Telstra to task as it currently is and for challenging the effective monopoly that they have not just enjoyed but cynically exploited by any means conceivable. I look forward to the fibre-optic cable rollout and constituents’ access to an alternative network of infrastructure that will deliver to them the service that they deserve.

In the last minute or so that I have left, I say that this government has also been good enough to make available funds for the replacement of an important piece of transport infrastructure in the Glenelg area of my electorate: the King Street Bridge. This conflict has been ever present with the residents, council and state governments. Some want it replaced, and I am glad that it will be soon. (Time expired)
Mr LINDSAY (Herbert) (9.07 pm)—Labor hates Telstra. We have seen more evidence of it tonight, where the member for Hindmarsh has misled this chamber. I say to the member for Hindmarsh: I have open access to Telstra any time night or day. I am able to solve Telstra’s customers’ problems immediately. It is a great service, it is a great Australian company and it does not deserve the treatment that it is getting from the Australian Labor Party. I will tell the member for Hindmarsh how I do it later on.

In North Queensland—I represent in the parliament Australia’s largest tropical city—road infrastructure has always been a very significant issue. We have long distances. We are a long way from our capital city. In fact, my city is further north of Brisbane than Canberra is south of Brisbane. There are long road distances to travel and our people are always very interested in road issues. And so it was that in the city of Townsville I identified a very significant new road project: the Douglas Arterial Road. It was to link the upper Ross suburbs over the river to the hospital, the university and Lavarack Barracks. It was ultimately to become part of the bypass of Townsville. You would not believe the fight that I had with the state government to get that project built. Despite the state government saying that, if I delivered this from the federal government then they would do this every time I delivered something, they then wanted more. It went on and on. Fortunately, I prevailed, because I was not going to give up. We built the Douglas arterial and, as soon as it opened, it was an extraordinary success and probably one of the best road projects that has ever been built in the city of Townsville.

However, in 2004 I saw that the Douglas arterial should be extended to the Bruce Highway, going to the north of the city, and this would complete the Townsville ring road. Nobody was talking about it; nobody thought that it was possible. People wanted the port access road built, but I knew that the benefit-cost ratio of building the port access road was less than one, meaning we would have to spend more money than what it would actually save the community. But the benefit-cost ratio of building the Townsville ring road, connecting to the Douglas arterial, was eight. In other words, it delivered eight times the benefit of the cost that was put in to build the road. It was a no-brainer.

I promoted that as an election promise at the 2004 election. The chamber of commerce, the Townsville Enterprise and the city council all reacted in horror and said to me, ‘How could you do this?’ But I knew that it would a huge success for the city—and we built it. When it opened, the people from the northern beaches, the people coming from the north to the south and the people going from the south to the north found that it cut a lot of time off the journey and that it was a high-speed motorway, the first motorway in North Queensland. It was an outstanding success.

However, sometimes when you succeed, you have unintended consequences. The unintended consequence in this case was that the Douglas arterial, which I had fought to have built two or three years earlier, could not carry the extra volume. So at the last election I said, ‘I will find the money to four-lane the Douglas arterial.’ That was very well received, because everybody knew that that was what had to be done. Fortunately, the Australian Labor Party matched my promise to four-lane it. So they were locked in and it did not matter which government was going to get elected; we were going to get the four-laning of the Douglas arterial for Townsville.
Have we got it? The answer is no. What is interesting is that federal funding was provided for this project as promised in the 2008 budget. It was then re-announced in the 2009 budget. So now, nearly 18 months after the first announcement, construction is yet to begin. That has really let down our city, and it is interesting that, representing one of the state electorates in the area, we have the state Minister for Main Roads, the member for Thuringowa. In a press release from Minister Albanese and the Queensland Minister for Main Roads, Craig Wallace, of 16 September 2009, Minister Albanese reported that the Douglas arterial duplication was ‘running ahead of schedule’. I beg your pardon? Ahead of schedule?

It was promised in the budget in 2008. Not a sod has yet been turned, but it is ‘running ahead of schedule’. That is why I aggrieve here tonight in this grievance debate. It is wrong to give our community an expectation that we will build this and then not start the project. Another press release from Minister Albanese, this one on 16 June 2009, talked about ‘vital nation building legislation passed’. The minister said:

… upgrading Australia’s transport network is central to the Government’s nation building agenda and essential to the country’s international competitiveness.

The projects referred to included the Douglas arterial upgrade. Given the vital nature of this project, and the fact that both federal and state funding has been allocated, I ask the question: why hasn’t it proceeded? We all know as members of parliament that the current government has very much talked up the nation building, the infrastructure and the stimulus package. Well, hello, where is the stimulus in not building anything? I think it is a fair question. I think we are all embarrassed that we have not been able to deliver. I am embarrassed, as the local member; and the government is embarrassed, as the provider of funding.

In response to a question I asked the minister in June this year regarding the progress of the duplication, he informed me that construction would commence this year in the third quarter. Well, hello, we are in the fourth quarter and no construction has been commenced. Gosh, that is sad. Gosh, that is tough for my community. When you have these longstanding commitments it is very difficult to explain to the community that construction has not begun.

Today in question time the minister told the House that apparently the government was getting on with the job: ‘Infrastructure development will remain at the heart of the government’s economic policy.’ Not building anything is not the heart of a government economic policy, I would suggest. The minister is saying one thing and doing another and despite publicly committing to infrastructure development, the minister has allowed the Douglas arterial duplication to be pushed further back on the agenda. Clearly, Labor’s stated commitment to nation building is all talk and no action. I demand that the minister review this; I demand that we get cracking on this much, much needed duplication of the Douglas arterial to stop the traffic problems that are there.

In the two minutes I have available to me I would also like to mention the issue of the PET scanner in Townsville, the nuclear scanning machine that easily detects cancers very quickly. There are no PET scanners in North Queensland and once again we are being short-changed in a regional area. We should have a PET scanner in Australia’s largest tropical city. On 22 February 2008 I moved a private member’s bill in the House calling on the government to match a commitment offered by a private X-ray business to install a PET scanner. Their offer to the government was extraordinarily generous: ‘We will pay half the capital cost—$2 mil-
lion.’ The Queensland health department strongly backed this particular proposal. They want to use a PET scanner just as much as anybody else wants to use a PET scanner.

Recently Craig Wallace, the member for Thuringowa and Minister for Main Roads, whose electorate is also where this PET scanner will be installed, said that he would lead a delegation to Canberra to see the Minister for Health and Ageing. I immediately wrote to Craig saying, ‘Count me in. I’ll get you an appointment with the minister.’ That was a month ago and I have not heard a word from him. Mr Wallace, you are a populist politician. You need to have actions not words, just like all of us need to have actions and not words. We need to deliver a PET scanner for our community in the interests of their health and I ask that you move with me on this. Together we will see the Minister for Health and Ageing and together we will get a PET scanner for Townsville.

Executive Remuneration

Mr SYMON (Deakin) (9.17 pm)—My grievance today relates to the astronomical levels of remuneration that are now being paid by some of Australia’s leading public companies to their chief executive officers and other senior executives. On 9 September this year I spoke on the Corporations Amendment (Improving Accountability on Terminations Payments) Bill 2009 and at the time I noted there was a great deal of public concern not only with executive termination payments but also with salary and total remuneration packages as well. In fact, for the past few years there has been a regular outcry from shareholder groups, journalists, unions, workers and mum and dad investors about the extraordinary payments made to senior company executives.

It seems that executive salaries are growing at an exponential rate and that poor company performance has little relation to bonuses and termination payments. Interestingly, recent research from a range of developed nations conducted amongst company directors indicates that many directors also feel that CEO remuneration is obscene and out of control—an interesting choice of words. Since the Corporations Amendment (Improving Accountability on Terminations Payments) Bill 2009 was introduced into the House we have seen the release of the Productivity Commission’s draft report into executive remuneration in Australia. This report contains some very alarming figures highlighting the growth of chief executive officer remuneration in Australia between 1993 and 2007. It shows that CEO remuneration at Australia’s 50 to 100 largest companies grew by up to 300 per cent between 1993 and 2007 and that remuneration for CEOs of Australia’s top 20 companies averaged almost $10 million for the year 2007-08.

If you think about that figure of $10 million: that is more than 150 times the average wage. It would take a working life of 150 years to get one year’s salary. The average wage at the moment, MTAWE, is $1,280 per week. CEOs of the next 20 biggest companies were paid around $5 million per annum. That is only about 75 times the average wage!

Much of the total sum of these payments is in the form of short-term incentives or better known to the rest of us as bonuses. So whilst it might not seem, in some cases, that the actual base salary has gone up all that much, you do have to look at the total package. When you look at the total package you can see the growth that has occurred over the years—continuously. When it comes to bonuses, there is plenty of evidence that they are not linked to company profitability as they continue to rise year after year as company fortunes rise and fall. Look at Telstra whose former CEO, Sol Trujillo, is a prime example. He was paid by Tel-
stra, a so-called golden handshake of $3 million on his termination. Yet Telstra share prices
did not perform brilliantly when Sol Trujillo was there. If my memory serves me correctly,
they actually dropped to about two dollars per share during his tenure. It is certainly hard to
find a member of my community who was happy with the service Telstra provided when Mr
Trujillo ran the show. He cut services, he cut contacts and he cut the range of people you
could talk to about getting problems fixed. Customers lost out while senior executives raked
the money in.

For many companies executive remuneration has increased despite poor performance and it
is no wonder that the community regards such payments as greedy and outrageous. Professor
David Peats supports this point in his submission to the Senate inquiry into the Corporations
Amendment (Improving Accountability on Termination Payments) Bill 2009 noting a range of
research over the past few years that shows increased pay despite lower levels of perform-
ance. So often we hear the excuse that these executive salaries must be paid as we are compet-
ing in a global market. The payment of incentive pay without properly defined targets, which
appears to have been imported from the US, is one practice that should be targeted for much
greater scrutiny. It is not only shareholders who are footing this bill of the greedy few, it is
also the rest of us, the consumers of Australia, who pay higher costs for goods and services to
line the pockets of a few select corporate fat cats.

The vast majority of Australians are shareholders in ASX listed companies in two major
ways. The ASX has reported that 6.7 million Australians—41 per cent of the adult popula-
tion—own shares either directly or through unlisted managed funds. When that figure is con-
sidered with the 11.6 million Australians over the age of 15 who have superannuation cover-
age then the size of the interest in locally listed company performance and remuneration prac-
tices can be understood. Superannuation funds often invest in shares, making every person
who has a superannuation account a shareholder. Every oversized salary or remuneration
package paid by companies at the rates I have already described is ultimately a drain on
shareholder and superannuation returns. It is ordinary people’s futures that big company ex-
cutives are playing with.

But the question that bothers me even more than the current level of CEO remuneration
packages is: what happens in the future? At what stage does this exponential growth in CEO
and executive salaries stop? If 150 times the average weekly wage is regarded as fair then
why not 1,000 times? Why not even more? Until recently, I, along with many other people,
regarded Australia as a fair and egalitarian society. But with payments like that to executives,
I think that view is rapidly receding as those at the top of the tree continue to pull further and
further away from the average. And while executive salaries accelerate, those very same ex-
cutives argue that the working people who produce the goods and provide the white- and
blue-collar services should consistently receive lower rises, if any, year after year. It must be
galling for low-income earners, some of whom obviously work in companies run by these
senior executives, to hear these corporations argue that their wages should be frozen. It would
also be particularly disheartening for shareholders who are suffering from reduced dividends
and share values from the current global financial crisis.

As we know, there is no direct brake on executive remuneration. Remuneration commit-
tees, formed by companies, recommend payment amounts, but it falls to shareholders to have
a say, with a non-binding vote, on a company’s remuneration report at the annual general
meeting. It is worth noting that on 12 October the Sydney Morning Herald described 2008 as ‘a watershed year for protest votes on remuneration reports at annual general meetings’. And even when there is a substantial shareholder revolt against executive salaries, such as the 43 per cent of shareholders who voted against the remuneration report at Qantas’s recent annual general meeting, there are always vast numbers of proxy votes from other institutional shareholders to protect the status quo. Qantas is not the only example. At Downer EDI’s AGM earlier this month, 59 per cent of shareholders voted against the remuneration report. Shareholders rebuked this company for deliberately lowering its performance standards under its plans for executive bonuses. Again, this was noted in a recent Sydney Morning Herald report.

I welcome the Productivity Commission’s draft report into executive remuneration in Australia. I hope that both this report and the final report will lead to a real and public debate about what can be done to curb such massive payments to corporate executives and help our country return to a fairer way of rewarding work for each and every worker in Australia.

The DEPUTY SPEAKER (Ms AE Burke)—There being no further grievances, the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting.

Main Committee adjourned at 9.28 pm
Kimberley: Trawl Fisheries
(Question No. 865)

Mr Haase asked the Minister for Agriculture, Fisheries and Forestry, in writing, on 11 August 2009:

(1) Is the escalation and expansion of the North West Slope Trawl Fishery (NWSTF) bottom fish trawling in the Kimberley waters, supported by and under the management of the Australian Fisheries Management Authority (AFMA), consistent with (a) Government, and (b) AFMA, environmental and ecological sustainability policies; if so, how; if not, why not.

(2) Why is the delineating line, first set under the Offshore Constitutional Settlement agreement, for the NWSTF and the Northern Demersal Scalefish Fishery under review to be changed when the review of this boundary position and the location in which it is finally determined to lie will have a significant impact on the marine ecological environment that the Government is trying to protect.

(3) Can the Minister guarantee that the NWSTF and Western Deepwater Trawl Fishery (WDTF) boundary change will not have adverse effects on the environment; if not, why not.

(4) Does the Minister (a) support the repositioning of the boundaries, and (b) guarantee the repositioning (i) will not adversely affect the marine stocks, (ii) takes into account that the marine environment is an ecosystem, (iii) is sensitive to the scientific knowledge and fishing history gathered since originally defining the line, and (iv) supports the purpose of the boundary in separating the two fisheries.

(5) If ecologically sustainable development and environmental responsibility require separating these fisheries according to ocean floor type—the fundamental purpose of the boundary—how will the Minister commit to looking into and acting on the matter of the Offshore Constitutional Settlement and the NWSTF and WDTF boundaries to ensure that any change is consistent with this aim.

Mr Burke—The answer to the honourable member’s question is as follows:

(1) (a) I am advised by the department that the Australian Fisheries Management Authority’s (AFMA) management of the North West Slope Trawl Fishery (NWSTF) is consistent with government policies and environmental and ecological sustainability objectives. AFMA temporarily closed a part of the existing fishery until 13 October 2009 to prevent trawling by Commonwealth vessels adding additional fishing pressure to fish stocks targeted by WA trap and line fishers. AFMA extended this closure on 8 October 2009 until 31 December 2010 on the basis of continuing concerns over additional fishing pressure. Whilst the closure is in place AFMA will negotiate catch sharing arrangements with WA.

In addition, AFMA has proposed new boundaries for the NWSTF to ensure consistency with the Offshore Constitutional Settlement (OCS) arrangements between the Commonwealth and Western Australian (WA) governments. The original intention of the OCS agreement was that the NWSTF takes place in waters seaward of the 200 metre depth contour. The boundaries of the fishery were gazetted in 1995. However, with improved mapping precision it has been discovered that the gazetted boundary does not track the 200 metre depth contour in a number of places. AFMA is therefore seeking to amend the boundary as described in the OCS agreement. This proposal is consistent with government policy agreed in an exchange of letters between the then Western Australian Fisheries Minister and the then Commonwealth Fisheries Minister in September 2007. Implementation of this proposed change will result in a net reduction in the area open to trawling and restrict overlap of State and Commonwealth fishing activities on tropical snapper stocks.
(b) I am advised by the department that the proposed trawl boundary amendments within the OCS are consistent with AFMA environmental and ecological sustainability policies. The fishery is managed by AFMA in accordance with Commonwealth Government policies, including the Commonwealth Harvest Strategy policy and Commonwealth Bycatch policy. An ecological risk assessment has also been completed for the fishery. The NWSTF is also assessed under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) in accordance with the Australian Government Guidelines for the Ecologically Sustainable Management of Fisheries. The fishery is declared an approved Wildlife Trade Operation under the EPBC Act.

(2) I am advised by the department that the fishery boundary line is under review in order to more accurately reflect the Offshore Constitutional Settlement arrangements as described at answer 865, 1(a). When implemented, the new boundary will result in a net reduction in the area open to trawling. Management measures described at answer 865, 1(b) ensure that the new fishery boundaries will not have a significant impact on the marine ecological environment.

(3) See response at answer 865, 2 in relation to the NWSTF. I am unable to comment on the environmental impact from fishing in the adjacent WA-managed Northern Demersal Scalefish Fishery. The proposed boundary change will result in a small increase in the area available to trawling in the Western Deepwater Trawl Fishery, consistent with the intent of the Offshore Constitutional Settlement arrangements. No adverse effects from trawling have been detected in this large but lightly fished fishery to date. I am advised that AFMA will continue to manage the fishery in accordance with Commonwealth Government policies, including the Commonwealth Harvest Strategy policy and Commonwealth Bycatch policy. I am advised that AFMA will also put in place precautionary management measures to address any risks to the environment. I am advised that AFMA will liaise with the Commonwealth Department of the Environment, Water, Heritage and the Arts and the Western Australian Department of Fisheries in developing any new management arrangements resulting from the proposed boundary change.

(4) (a) I support the repositioning of fishery boundaries to align trawl boundaries with water depths as intended in the Offshore Constitutional Settlement (OCS) arrangement and to restrict potential overlapping fishing activities.

(4) (b) Previously answered in response to question 865, 1, 2 and 3. I am advised that AFMA will take the issues covered in (i), (ii) and (iii) into account in implementing management arrangements for the fishery. (iv) The purpose of the proposed repositioning of the trawl boundaries is to accurately reflect the intent of the OCS arrangement. I am advised that the access of WA fishers is unchanged, and they may continue to fish with non-trawl methods beyond 200 metre depths within the boundaries of the Commonwealth trawl fisheries.

(5) State and Commonwealth fisheries are separated by a boundary representing the 200m depth contour for trawling only, regardless of ocean floor type. The Commonwealth manages waters seaward of the 200 metre depth contour for trawling only, WA manages other fisheries from the coast out to the edge of the Australian Fishing Zone. AFMA has extended the closure in the NWSTF until 31 December 2010 while catch sharing arrangements are negotiated with WA. This closure will prevent trawling by Commonwealth vessels adding additional fishing pressure to fish stocks targeted by WA trap and line fishers.
Kimberley: Trawl Fisheries
(Question No. 867)

Mr Haase asked the Minister for Agriculture, Fisheries and Forestry, in writing, on 11 August 2009:

(1) Why have the many thousands of square kilometres of sustainably managed State fisheries of demersal scalefish (found on sponge and coral bottom) been opened to Commonwealth managed trawling, when a temporary closure to Commonwealth licensed trawling in the Kimberley was implemented by the Australian Fisheries Management Authority (AFMA) in 2007.

(2) Can the Minister guarantee that opening the Kimberley to Commonwealth licensed trawling will not have adverse effects on the environment; if not, why not.

(3) Can the Minister guarantee that the AFMA’s decision to open the Northern Demersal Scalefish Fishery (NDSF) fishing grounds in the Kimberley to Commonwealth trawling will not lead to the closure of the NDSF as a result of depleted supply; if not, why not.

Mr Burke—The answer to the honourable member’s question is as follows:

(1) No additional areas have been opened to trawling. A temporary closure implemented in 2007 in the North West Slope Trawl Fishery has been extended by AFMA until 31 December 2010. Catch sharing arrangements will be developed with WA and a proposed amendment to the Offshore Constitutional Settlement would permanently remove this area from the Commonwealth trawl fishery.

(2) I have answered this question. See Question 1, House of Representatives Question No. 865.

(3) I am not the Minister responsible for regulation of the WA state fishery, the Northern Demersal Scalefish Fishery.

Kimberley: Trawl Fisheries
(Question No. 869)

Mr Haase asked the Minister for Agriculture, Fisheries and Forestry, in writing, on 11 August 2009:

(1) Has the Minister read the email sent on 10 June 2009 at 4.17 p.m. by Mr Paul Murphy, Acting Executive Manager of Australian Fisheries Management Authority (AFMA), to Mr Bob Masters of the Kimberley Professional Fishermen’s Association, entitled WestMAC Meeting today; if so, does the Minister support the views of, and approach taken by, Mr Murphy; if so, why.

(2) Is the Minister aware that 400 kilograms of Goldband Snapper was thrown over the side of a North West Slope Trawl Fishery (NWSTF) trawler in just one morning, with an AFMA observer on board; if so, does he support such action.

(3) What controls are in place to help facilitate environmentally sustainable and responsible management of fisheries trawling demersal scalefish on coral/sponge bottom in the Kimberley waters.

(4) Has an Ecological Risk Assessment been conducted by AFMA for the NWSTF and the Western Deepwater Trawl Fishery on trawling damage to benthos; if not, why not.

Mr Burke—The answer to the honourable member’s question is as follows:

(1) No. This is a matter for Australian Fisheries Management Authority (AFMA).

(2) No. This is a matter for AFMA.

(3) See response at 865 1b.
AFMA advises that both fisheries have had Ecological Risk Assessments (ERAs) undertaken by CSIRO. Two ERAs assessed the effects of fishing upon target, by-product and threatened, endangered and protected (TEP) species and direct and indirect impacts of trawling on habitats and communities.

**Boat Building Standards**  
(Question No. 875)

**Mr Robert** asked the Minister for Infrastructure, Transport, Regional Development and Local Government, in writing, on 11 August 2009:

1. Why is there no Australian Boat Building Standard (ABBS).
2. Is he aware that the absence of an ABBS has created a situation where some boats are built to United States standards, and others to no standards.

**Mr Albanese**—The answer to the honourable member’s question is as follows:

1. Recreational boating standards are the responsibility of the state and Northern Territory governments. The mandatory requirements are on the web site of the National Marine Safety Committee at www.nmsc.gov.au. The National Marine Safety Committee advises that the elements of those standards that are essential to the safety of the boat users have been made mandatory by the state governments as a prerequisite for a new boat to be sold or registered.
2. Recreational boats destined for export to the US market have to be built to US safety standards in order to comply with the US federal regulation (CFR 33), just as any other product exported to the US must meet that country’s laws.

**AusIndustry: Southport Office**  
(Question No. 969)

**Mr Ciobo** asked the Minister representing the Minister for Innovation, Industry, Science and Research, in writing, on 7 September 2009:

In respect of the AusIndustry office at Southport, Queensland

1. What funds were appropriated to this office for the 2008-09 financial year.
2. What funds have been appropriated to this office (a) for the 2009-10 financial year, and (b) over the forward estimates years.
3. How many staff were employed at this office as at 7 September 2009, how many of these were employed on a full-time basis, and what is the total budgeted funding for salaries and wages of staff in the 2009-10 financial year.
4. How many (a) clients were seen, and (b) enquiries were made, at this office between 1 July 2008 and 30 June 2009.

**Dr Emerson**—The Minister for Innovation, Science and Research has provided the following answer to the honourable member’s question:

1. Funds allocated in 2008-09 were $255,151.
2. (a) Funds allocated for 2009-10 is $239,141.
   (b) No allocations have been made for the forward estimates period. There are no funds specifically appropriated for regional offices. Their operational budgets are determined each year by AusIndustry Executive once the Divisional Budget is known.
3. One staff member was employed as at 7 September 2009 and was on a full-time basis. The total budget funding for salaries for 2009-10 was $158,141.
Mr Baldwin asked the Minister for Defence Personnel, Materiel and Science, in writing, on 7 September 2009:

1. Have all of Australia’s Leopard Tanks been decommissioned; if so, when was the last Leopard Tank decommissioned; if not, as at 7 September 2009, how many were decommissioned, and when will the last tank be decommissioned.

2. What method of disposal will be used for decommissioned Leopard Tanks.

3. As at 7 September 2009, how many decommissioned Leopard Tanks had been (a) allocated, and (b) delivered, to a Returned and Services League (RSL) branch.

4. What was the cost of (a) decommissioning each tank, and (b) delivering each tank to the respective RSL branch.

5. What was the cost to each RSL branch selected to receive a decommissioned Leopard Tank.

6. Can RSL branches still apply for ownership of decommissioned Leopard Tanks; if so, to whom should applications be made.

Mr Combet—The answer to the honourable member’s question is as follows:

1. As at 7 September 2009, 18 Leopard tanks have been partly decommissioned with all fluids drained, power pack removed, main gun rendered innocuous and classified items removed. It is anticipated decommissioning of all tanks will be completed by the end of 2011.

2. The extent of decommissioning on each tank will depend on the intended disposal category. In line with the Disposal Plan that was originally approved by the then Minister for Defence, Dr Brendan Nelson MP, and subsequently endorsed by this Government, the Leopard fleet of 103 vehicles will be disposed of as follows:

<table>
<thead>
<tr>
<th>Disposal Category</th>
<th>Qty</th>
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<tbody>
<tr>
<td>Defence - targets on Army and RAAF ranges</td>
<td>26</td>
</tr>
<tr>
<td>Veterans Organisations - for display</td>
<td>30</td>
</tr>
<tr>
<td>Military museums - for display</td>
<td>14</td>
</tr>
<tr>
<td>Defence - displays on defence sites</td>
<td>27</td>
</tr>
<tr>
<td>Defence - for use in recovery training</td>
<td>3</td>
</tr>
<tr>
<td>Defence - other training</td>
<td>3</td>
</tr>
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3. (a) 30 tanks have been allocated to RSL branches and other veteran and historical organisations in line with the announcement made by Dr Nelson on 14 November 2007 and (b) none have been delivered.

4. (a) The decommissioning cost of each tank is in the range $10,000 to $30,000 depending on the disposal category. (b) No tanks have been delivered to RSLs.

5. RSL branches have not received a decommissioned tank to date.

6. The previous Government invited expressions of interest from the public for decommissioned Leopard tanks. The closing date was 12 October 2007. Approximately 315 expressions of interest were received for the 30 tanks available for gifting. No new applications are being considered.
Australian Security Intelligence Organisation Records  
(Question No. 984)

Mr Melham asked the Attorney-General, in writing, on 8 September 2009:  
In respect of applications for access to Australian Security Intelligence Organisation (ASIO) records under the Archives Act 1983, in the fiscal years 2004-05, 2005-06, 2006-07, 2007-08 and 2008-09: (a) how many applications were referred to ASIO by the National Archives of Australia; (b) how many related to (i) individual persons, or (ii) organisations and/or subjects; (c) how many resulted in the release of material; (d) how many were subject to (i) internal reconsideration, and/or (ii) review by the Administrative Appeals Tribunal; (e) did any reviews result in the release of additional material; and (f) on how many occasions was a conclusive certificate issued under the provisions of the Act in relation to ASIO records.

Mr McClelland—The answer to the honourable member’s question is as follows:

(a) Applications referred to ASIO by the National Archives of Australia (NAA):

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<tbody>
<tr>
<td>Applications referred to ASIO by NAA</td>
<td>326</td>
<td>338</td>
<td>582*</td>
<td>530*</td>
<td>454*</td>
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* Includes proactive release of the records of the Royal Commission into Intelligence and Security (RCIS)

(b) (i) Number of applications related to an individual person:

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<tbody>
<tr>
<td>Applications related to individual</td>
<td>235</td>
<td>275</td>
<td>308</td>
<td>207</td>
<td>252</td>
</tr>
<tr>
<td>(68 family applications)</td>
<td>132 family applications</td>
<td>143 family applications</td>
<td>136 family applications</td>
<td>169 family applications</td>
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Any member of the public can request a file of another individual

(ii) Number of applications related to organisations and/or subjects:

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<tbody>
<tr>
<td>Applications related to organisations</td>
<td>91</td>
<td>63</td>
<td>274</td>
<td>323</td>
<td>202</td>
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</table>

(c) Number of applications which resulted in the release of material

<table>
<thead>
<tr>
<th>Year</th>
<th>Applications assessed resulting in release of material</th>
<th>Applications resulting in advice to the NAA of ‘no records found’ ie. no records held by ASIO on an individual or subject in the open period</th>
</tr>
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<tbody>
<tr>
<td>2004–05</td>
<td>288</td>
<td>73</td>
</tr>
<tr>
<td>2005–06</td>
<td>282</td>
<td>58</td>
</tr>
<tr>
<td>2006–07</td>
<td>396</td>
<td>71</td>
</tr>
<tr>
<td>2007–08</td>
<td>504</td>
<td>74</td>
</tr>
<tr>
<td>2008–09</td>
<td>420</td>
<td>77</td>
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Note: Figures for applications received, against figures for applications completed, do not equate across calendar years. Response times depend on the time of lodgement, as well as the size and complexity of the assessment. Some applications are completed in a different calendar year form that in which they are received.

(d) (i) Number of applications subject to internal reconsideration

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<tr>
<td>Applications subject to internal reconsideration</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>10</td>
<td>17</td>
</tr>
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QUESTIONS IN WRITING
(ii) Number of applications subject to review by the Administrative Appeals Tribunal

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<tbody>
<tr>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>2</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

(e) Yes. Since 2004, of the 2,230 applications received, 45 were referred for internal reconsideration and of these, two (from 2008–09) resulted in the release of additional information (the additional information being: headings from a table within a record, and the headings from a cable).

No applications for ASIO records were referred to the AAT between 2004 and 2007. Since 2008, no applications for review by the AAT of the original assessment of an ASIO record have resulted in the release of additional material.

The AAT is currently monitoring the assessment of ASIO of one request which, because of its nature and volume, did not meet the 90 day legislative requirement and was therefore under the legislation considered to be a 'deemed refusal'. Assessment of the record is continuing.

(f) No Conclusive Certificates have been issued under the Archives Act in relation to ASIO records in the period 2004–2009.

Australian Security Intelligence Organisation Records

(Question No. 985)

Mr Melham asked the Attorney-General, in writing, on 8 September 2009:

In respect of applications for access to Australian Security Intelligence Organisation (ASIO) records under the Archives Act 1983: as at 8 September 2009, how many current applications for access to ASIO records have been awaiting advice from, or under consideration by, ASIO for (a) less than 90 days, (b) between 90 days and one year, (c) one to two years, (d) two to three years, (e) three to four years, (f) four to five years, or (g) more than five years, after applications were lodged with the National Archives of Australia.

Mr McClelland—The answer to the honourable member’s question is as follows:

(a) 31 applications.
(b) Seven applications.
(c) 31 applications.
(d) 14 applications.
(e) 21 applications.
(f) Three applications.
(g) Nil.

Of these applications the size varies between 1 to 50 volumes, and a single volume can vary anywhere between 50 to 200 folios (pages).

Navantia Landing Craft

(Question No. 1001)

Mr Oakeshott asked the Minister representing the Minister for Defence, in writing, on 14 September 2009:

Does the Government intend to go to Australian industry to explore the option of building the proposed six LCM-1E Navantia Landing Craft within Australia; if so, when; if not, why not.
Mr Combet—The Minister for Defence has provided the following answer to the honourable member’s question:

The Government does intend to explore building more than 6 LCM1-E Watercraft by Australian industry via the designer and shipbuilder Navantia. Navantia are currently responding to a Request for Tender for the craft, which includes a requirement to identify companies in both Australia and Spain to build 10 or 12 LCM1-E watercraft. Subsequent to the Request for Tender evaluation and subject to cost, schedule and risk factors, the 10 or 12 LCM-IE watercraft may be built in Australia or Spain or a combination of both.