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SITTING DAYS—2010

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FORTY-SECOND PARLIAMENT
FIRST SESSION—SEVENTH 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. Archibald Ronald Bevis MP, Ms Sharon Leah Bird MP, Mr Steven Georganas MP, Mrs Margaret Ann May 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. Anthony John Abbott MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Opposition Whip—Hon. Alexander Michael 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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<td>Moore, WA</td>
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<td>Windsor, Anthony Harold Curties</td>
<td>New England, NSW</td>
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<td>Wood, Jason Peter</td>
<td>La Trobe, Vic</td>
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<td>Zappia, Tony</td>
<td>Makin, SA</td>
<td>ALP</td>
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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—R Laing
Clerk of the House of Representatives—B Wright
Secretary, Department of Parliamentary Services—A Thompson
RUDD MINISTRY

Prime Minister
Hon. Kevin Rudd MP
Deputy Prime Minister, Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion
Hon. Julia Gillard MP
Treasurer
Hon. Wayne Swan MP
Minister for Immigration and Citizenship and Leader of the Government in the Senate
Senator Hon. Chris Evans
Minister for Defence and Vice President of the Executive Council
Senator Hon. John Faulkner
Minister for Trade
Hon. Simon Crean MP
Minister for Foreign Affairs and Deputy Leader of the House
Hon. Stephen Smith MP
Minister for Health and Ageing
Hon. Nicola Roxon MP
Minister for Families, Housing, Community Services and Indigenous Affairs
Hon. Jenny Macklin MP
Minister for Finance and Deregulation
Hon. Lindsay Tanner MP
Minister for Infrastructure, Transport, Regional Development and Local Government and Leader of the House
Hon. Anthony Albanese MP
Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate
Senator Hon. Stephen Conroy
Minister for Innovation, Industry, Science and Research
Senator Hon. Kim Carr
Minister for Climate Change and Water
Senator Hon. Penny Wong
Minister for the Environment, Heritage and the Arts
Hon. Peter Garrett AM, MP
Attorney-General
Hon. Robert McClelland MP
Cabinet Secretary, Special Minister of State and Manager of Government Business in the Senate
Senator Hon. Joe Ludwig
Minister for Agriculture, Fisheries and Forestry
Hon. Tony Burke MP
Minister for Resources and Energy and Minister for Tourism
Hon. Martin Ferguson AM, MP
Minister for Human Services and Minister for Financial Services, Superannuation and Corporate Law
Hon. Chris Bowen MP

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<td>Hon. Alan Griffin MP</td>
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<td>Minister for Housing and Minister for the Status of Women</td>
<td>Hon. Tanya Plibersek MP</td>
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<td>Minister for Home Affairs</td>
<td>Hon. Brendan O’Connor MP</td>
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<td>Minister for Indigenous Health, Rural and Regional Health and</td>
<td>Hon. Warren Snowdon MP</td>
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<td>Regional Services Delivery</td>
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<td>Minister for Small Business, Independent Contractors and the Service</td>
<td>Hon. Dr Craig Emerson MP</td>
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<td>Economy, Minister Assisting the Finance Minister on Deregulation and</td>
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<td>Minister for Competition Policy and Consumer Affairs</td>
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<td>Assistant Treasurer</td>
<td>Senator Hon. Nick Sherry</td>
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<td>Minister for Ageing</td>
<td>Hon. Justine Elliot MP</td>
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<td>Minister for Early Childhood Education, Childcare and Youth and</td>
<td>Hon. Kate Ellis MP</td>
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<td>Minister for Sport</td>
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<td>Minister for Defence Personnel, Materiel and Science and Minister</td>
<td>Hon. Greg Combet AM, MP</td>
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<td>Assisting the Minister for Climate Change</td>
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<td>Minister for Employment Participation and Minister Assisting the Prime</td>
<td>Senator Hon. Mark Arbib</td>
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<td>Minister for Government Service Delivery</td>
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<td>Parliamentary Secretary for Infrastructure, Transport, Regional</td>
<td>Hon. Maxine McKew MP</td>
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<td>Parliamentary Secretary for Defence Support and Parliamentary</td>
<td>Hon. Dr Mike Kelly AM, MP</td>
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<td>Secretary for Water</td>
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<td>Parliamentary Secretary for Western and Northern Australia</td>
<td>Hon. Gary Gray AO, MP</td>
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<td>Parliamentary Secretary for Disabilities and Children’s Services and</td>
<td>Hon. Bill Shorten MP</td>
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<td>Parliamentary Secretary for Victorian Bushfire Reconstruction</td>
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<td>Parliamentary Secretary to the Prime Minister and Parliamentary</td>
<td>Hon. Bob McMullan MP</td>
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<td>Secretary for Trade</td>
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<td>Parliamentary Secretary for Social Inclusion and Parliamentary</td>
<td>Hon. Anthony Byrne MP</td>
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<td>Secretary for Voluntary Sector</td>
<td>Senator Hon. Ursula Stephens</td>
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<td>Parliamentary Secretary for Multicultural Affairs and Settlement</td>
<td>Hon. Laurie Ferguson MP</td>
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<td>Parliamentary Secretary for Employment</td>
<td>Hon. Jason Clare MP</td>
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<td>Parliamentary Secretary for Health</td>
<td>Hon. Mark Butler MP</td>
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<tr>
<td>Parliamentary Secretary for Innovation and Industry</td>
<td>Hon. Richard Marles MP</td>
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SHADOW MINISTRY

Leader of the Opposition: Hon. Tony Abbott MP
Shadow Minister for Foreign Affairs and Deputy Leader of the Opposition: Hon. Julie Bishop MP
Shadow Minister for Trade, Transport, Regional Development and Local Government and Leader of The Nationals: Hon. Warren Truss MP
Shadow Minister for Resources and Energy and Leader of the Opposition in the Senate: Senator Hon. Nick Minchin
Shadow Minister for Employment and Workplace Relations and Deputy Leader of the Opposition in the Senate: Senator Hon. Eric Abetz
Shadow Treasurer: Hon. Joe Hockey MP
Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House: Hon. Christopher Pyne MP
Shadow Minister for Infrastructure and Water: Hon. Ian Macfarlane MP
Shadow Attorney-General: Senator Hon. George Brandis SC
Shadow Minister for Defence: Senator Hon. David Johnston
Shadow Minister for Health and Ageing: Hon. Peter Dutton MP
Shadow Minister for Families, Housing and Human Services: Hon. Kevin Andrews MP
Shadow Minister for Climate Action, Environment and Heritage: Hon. Greg Hunt MP
Shadow Minister for Indigenous Affairs and Deputy Leader of The Nationals: Senator Hon. Nigel Scullion
Shadow Minister for Finance and Debt Reduction and Leader of the Nationals in the Senate: Senator Barnaby Joyce
Shadow Minister for Agriculture, Food Security, Fisheries and Forestry: Hon. John Cobb MP
Shadow Minister for Small Business, Deregulation, Competition Policy and Sustainable Cities: Hon. Bruce Billson MP
Shadow Minister for Broadband, Communications and the Digital Economy: Hon. Tony Smith MP
Shadow Minister for Immigration and Citizenship: Mr Scott Morrison MP
Shadow Minister for Innovation, Industry, Science and Research: Mrs Sophie Mirabella MP
Chairman of the Coalition Policy Development Committee: Hon. Andrew Robb AO MP

[The above constitute the shadow cabinet]
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<td>Mr Steven Ciobo MP</td>
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<tr>
<td>Shadow Minister for Employment Participation, Apprenticeships and Training</td>
<td>Senator Mathias Cormann</td>
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<tr>
<td>Shadow Minister for Consumer Affairs, Financial Services, Superannuation and Corporate Law and Deputy Manager of Opposition Business in the House</td>
<td>Mr Luke Hartsuyker MP</td>
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<tr>
<td>Shadow Assistant Treasurer</td>
<td>Hon. Sussan Ley MP</td>
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<td>Shadow Minister for COAG and Modernising the Federation</td>
<td>Senator Marise Payne</td>
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<tr>
<td>Shadow Minister for Early Childhood Education and Childcare and Shadow Minister for the Status of Women</td>
<td>Hon. Dr Sharman Stone MP</td>
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<tr>
<td>Shadow Minister for Justice and Customs</td>
<td>Mr Michael Keenan MP</td>
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<tr>
<td>Shadow Minister for Defence Science and Personnel and Assisting Shadow Minister for Defence</td>
<td>Hon. Bob Baldwin MP</td>
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<td>Shadow Minister for Veterans Affairs</td>
<td>Mrs Louise Markus MP</td>
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<td>Shadow Minister for Ageing</td>
<td>Senator Concetta Fierravanti-Wells</td>
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<td>Shadow Minister for Seniors</td>
<td>Hon. Bronwyn Bishop MP</td>
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<tr>
<td>Shadow Special Minister of State and Scrutiny of Government Waste</td>
<td>Senator Hon. Michael Ronaldson</td>
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<tr>
<td>Shadow Parliamentary Secretary Assisting the Leader of the Opposition and Shadow Parliamentary Secretary for Infrastructure and Population Policy</td>
<td>Senator Cory Bernardi</td>
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<tr>
<td>Shadow Parliamentary Secretary for Northern and Remote Australia</td>
<td>Senator Hon. Ian Macdonald</td>
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<tr>
<td>Shadow Parliamentary Secretary for Roads and Transport</td>
<td>Mr Don Randall MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for Regional Development and Emerging Trade Markets</td>
<td>Mr Mark Coulton MP</td>
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<td>Shadow Parliamentary Secretary for Tourism</td>
<td>Mrs Jo Gash MP</td>
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<td>Shadow Parliamentary Secretary for Education and School Curriculum Standards</td>
<td>Senator Hon. Brett Mason</td>
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<tr>
<td>Shadow Parliamentary Secretary for the Murray Darling Basin and Shadow Parliamentary Secretary for Climate Action</td>
<td>Senator Simon Birmingham</td>
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<tr>
<td>Shadow Parliamentary Secretary for Public Security and Policing</td>
<td>Mr Jason Wood MP</td>
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<td>Shadow Parliamentary Secretary for Defence</td>
<td>Mr Stuart Robert MP</td>
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<td>Shadow Parliamentary Secretary for Regional Health Services, Health and Wellbeing</td>
<td>Dr Andrew Southcott MP</td>
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<td>Senator Mitch Fifield</td>
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Thursday, 25 February 2010

The SPEAKER (Mr Harry Jenkins) took the chair at 9 am and read prayers.

PROPOSED JOINT SELECT COMMITTEE ON CYBERSAFETY

Mr ALBANESE (Grayndler—Leader of the House) (9.00 am)—I move:

(1) (a) That a Joint Select Committee on Cyber-Safety be appointed to inquire into and report on:

(i) the online environment in which Australian children currently engage, including key physical points of access (schools, libraries, internet cafes, homes, mobiles) and stakeholders controlling or able to influence that engagement (governments, parents, teachers, traders, internet service providers, content service providers);

(ii) the nature, prevalence, implications of and level of risk associated with cyber-safety threats, such as:

• abuse of children online (cyber-bullying, cyber-stalking and sexual grooming);
• exposure to illegal and inappropriate content;
• inappropriate social and health behaviours in an online environment (e.g. technology addiction, online promotion of anorexia, drug usage, underage drinking and smoking);
• identity theft; and
• breaches of privacy.

(iii) Australian and international responses to current cyber-safety threats (education, filtering, regulation, enforcement) their effectiveness and costs to stakeholders, including business;

(iv) opportunities for cooperation across Australian stakeholders and with international stakeholders in dealing with cyber-safety issues;

(v) examining the need to ensure that the opportunities presented by, and economic benefits of, new technologies are maximised;

(vi) ways to support schools to change their culture to reduce the incidence and harmful effects of cyber-bullying including by:

• increasing awareness of cyber-safety good practice;
• encouraging schools to work with the broader school community, especially parents, to develop consistent, whole school approaches; and
• analysing best practice approaches to training and professional development programs and resources that are available to enable school staff to effectively respond to cyber-bullying; and

(vii) analysing information on achieving and continuing world’s best practice safeguards; and

(b) such other matters relating to cyber-safety referred by the Minister for Broadband, Communications and the Digital Economy or either House.

(2) That the committee consist of 12 members, 4 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips and one Member from the independent Members, 3 Senators to be nominated by the Leader of the Government in the Senate, and 2 Senators to be nominated by the Leader of the Opposition in the Senate or by any minority group or groups or independent Senator or independent Senators.

(3) That every nomination of a member of the committee be notified in writing to the Presi-
dent of the Senate and the Speaker of the House of Representatives.

(4) That the members of the committee hold office as a joint select committee until the House of Representatives is dissolved or expires by effluxion of time.

(5) That the committee elect a Government member as its chair.

(6) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(7) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(8) That 3 members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(9) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

(10) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(11) That 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(12) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(13) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(14) That the committee or any subcommittee may conduct proceedings at any place it sees fit.

(15) That the committee or any subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(16) That the committee may report from time to time but that it present its final report no later than 11 February 2011.

(17) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(18) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

I will speak briefly to this proposition. It is the fulfilment of a commitment that the Australian Labor Party made during the election campaign to investigate and to have a parliamentary committee which would investigate and report on cybersafety in Australia as part of our plan for cybersafety. The establishment of this committee fulfils this important election commitment. As the Deputy Prime Minister stated earlier this month, we want to ensure that we can build on what is happening in schools today to combat cyberbullying, so by having a dedicated, purpose-specific committee looking at the issue of cybersafety, we will be able, as a parliament, to be better informed about the policies and programs that can make a difference.

Cybersafety skills are a vital tool for all internet users. Engagement with the online environment offers powerful sources of information and entertainment. However, we must also recognise that there is a potential
for malicious behaviour and harmful effects. Cybersafety incidents, such as online identity theft, cyberbullying and online breaches of privacy, can have both short- and long-term effects, such as physical harm, antisocial behaviour and financial loss. Along with these, computer addiction, online grooming and other effects, such as inadvertently becoming victims of these issues, present broader risks as a result of inadequate cybersafety skills. Given the extensive use of computers for internet usage across the education sector and in our society, we need to address cybersafety issues as a matter of priority.

The government has delivered on our commitment to establish a Consultative Working Group on cybersafety involving industry and child protection organisations. We have also established a youth advisory group to examine cybersafety issues from a young person’s perspective. In addition, the government will introduce into parliament legislation for the mandatory ISP level filtering of refused classification content. Particularly topical have been incidents of suicide and self-harm among young people as a result of cyberbullying.

It is proposed that this committee will address the nature, prevalence and implications of cybersafety threats, such as abuse of children online; avenues to make the internet a safer place for young people to socialise, research and engage with broader society online; and identity theft and breaches of privacy. We know that issues have been raised due to concern about cyberbullying, cyberstalking and sexual grooming online, and we need to address this issue as a society. It is appropriate that parliament play a role in this. It will be able to do this through this joint committee, which I am sure will operate on a bipartisan basis, as most committees in this House and in the Senate do. This resolution, I note, will ensure that there are representations from both houses and from both of the major political parties in this House. I note also that there will be broader representation. The government was pleased to ensure that there was representation of an Independent member of this House of Representatives, the member for Lyne, who indicated his enthusiasm for being able to make a positive contribution to the work of this committee.

The committee will also examine Australian and international responses to current cybersafety threats and their effectiveness. The committee will seek opportunities to engage with stakeholders in dealing with these issues, as well as analysing information on emerging strategies in dealing with cybersafety. The committee is also to inquire into and report on other such matters relating to cybersafety as the Minister for Broadband, Communications and the Digital Economy refers from the Senate or from the House of Representatives. I congratulate and acknowledge the work of both the Chief Government Whip and the Chief Opposition Whip in ensuring that this important reform has been able to move forward in such a constructive fashion.

Question agreed to.

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT (RECREATIONAL FISHING FOR MAKO AND PORBEAGLE SHARKS) BILL 2010

First Reading

Bill and explanatory memorandum presented by Mr Garrett.

Bill read a first time.

Second Reading

Mr Garrett (Kingsford Smith—Minister for the Environment, Heritage and the Arts) (9.07 am)—I move:

That this bill be now read a second time.
On 25 January this year I announced that the government would be acting to address the disproportionate impacts on recreational fishers that have resulted from the inflexible relationship between our national environmental law—the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act)—and the Convention on the Conservation of Migratory Species of Wild Animals. This bill specifically addresses those impacts. The government takes its international obligations seriously; however, it is important that our domestic legislation appropriately reflects and implements our international obligations, while also providing the flexibility to properly take into account our particular domestic circumstances.

The Convention on the Conservation of Migratory Species of Wild Animals is an intergovernmental treaty that is concerned with the conservation of wildlife and habitats on a global scale. Australia has been a party to the convention since 1991 and contributes actively and constructively to international conservation efforts under its auspices.

The convention includes two appendices, which list migratory species identified as requiring conservation action. Appendix I includes migratory species which are in danger of extinction throughout all or a significant proportion of their range. Parties must provide immediate protection for migratory species included in appendix I.

While animals listed on appendix I should receive a very high level of protection under our national environmental law, commensurate with the significant threats that they face, animals listed on appendix II do not require the same level of protection. Appendix II lists migratory species that are not endangered but have an ‘unfavourable conservation status’, and which require international agreements for their management, as well as species with a conservation status that would benefit from international cooperation. Parties are required to endeavour to conclude agreements covering the conservation and management of migratory species included in appendix II.

On 8 December 2008, at the ninth conference of the parties to the convention, a number of species were added to these appendices. This included the addition to appendix II of three species of migratory sharks that occur in Australian waters: longfin mako; shortfin mako; and porbeagle sharks.

The Australian government is committed to, and is actively implementing, its international obligations under the convention that stem from these listings. We recognise that, by virtue of their inclusion in appendix II, these species require collaborative international efforts to aid their conservation.

Earlier this month the government sent a delegation to negotiations in Manila, the Philippines to pursue a global Memorandum of Understanding on the Conservation of Migratory Sharks. We successfully argued that this global MOU should cover all species of sharks currently included in the convention appendices—including makos and porbeagles. This MOU is one example of Australia’s commitment to shark conservation, and is a welcome step towards enhanced international cooperation and collaboration on the conservation of these species, in keeping with our obligations under the convention.

The EPBC Act does not distinguish between appendix I and appendix II species. Any species that occurs in Australia and is included in either of the convention appendices must be included in the list of migratory species established under the EPBC Act. Once a species is listed, it becomes prohibited to kill, injure, take, trade, keep or move a listed migratory species in Commonwealth areas; and to trade, keep or move a listed
migratory species that has been taken in a Commonwealth area.

As required by the legislation as it currently stands, I listed shortfin mako, longfin mako and porbeagle sharks as migratory species under the EPBC Act. This listing became effective on 29 January 2010.

The government is aware that the domestic listing of mako and porbeagle sharks has significant implications for recreational fishers in Australia. Makos are a highly prized sport fish, and in some parts of Australia, are a primary target species for game fishers. The porbeagle is also taken by recreational fishers in southern Australian waters. The government recognises the social and cultural importance of recreational fishing to many Australians, and its economic benefit to some coastal communities. We also appreciate that much recreational fishing activity is carried out in a sustainable manner, for example using catch and release methods.

The EPBC Act currently does not allow for any flexibility on either the question of listing, or on the subsequent offence provisions related to migratory species. As the legislation stands, recreational fishers stand to be disproportionately and unfairly impacted by the listing. These implications cannot be addressed effectively either administratively or by regulation.

The recently completed independent review of the EPBC Act, which was commissioned by the government, examined the provisions of the EPBC Act relating to migratory species. It found that the clear intention of the convention is to differentiate between appendix I and appendix II species and the level of protection required. The review reported that the automatic listing of appendix II species as migratory species under the EPBC Act ‘goes beyond the extent of Australia’s international obligations, affording a higher level of protection to appendix II species than is otherwise required’. It found that in some cases this may give rise to unnecessarily restrictive measures in relation to species that do not have an unfavourable conservation status. The review recommends changes to the provisions in part 13 of the EPBC Act to address these issues.

The government believes that the current situation is one where the current provisions of the EPBC Act do give rise to unnecessarily restrictive measures. The government is currently considering the findings of the independent review. We will provide a comprehensive response in due course. In the interim, the government has decided to act as a priority to address the disproportionate impacts on recreational fishers that stem from the mandatory listing of mako and porbeagle sharks.

In this regard, I would like to acknowledge the work of the member for Corangamite, Darren Cheeseman, and the member for Braddon, Sid Sidebottom, both of whom have large numbers of recreational fishers in their electorates and who worked with those groups and my office to bring this legislative change forward on behalf of their constituents.

The listing of mako and porbeagle sharks on appendix II of the convention was driven primarily by concerns for Northern Hemisphere populations of these species, where the plight of the species due to overfishing is well understood. There is no evidence to suggest that mako or porbeagle populations in Australian waters are similarly threatened.

The government takes its international responsibilities seriously. However, we also believe that our own legislation should fully implement our international responsibilities while providing flexibility to properly take into account our domestic circumstances.

This bill will address those disproportionate impacts on recreational fishers by provid-
ing a narrow exception for recreational fishing of longfin mako, shortfin mako and porbeagle sharks to the offence provisions of part 13, division 2 of the EPBC Act. That means it will not be an offence to kill, injure, take, trade, keep or move mako or porbeagle sharks in or from Commonwealth waters, where that action is taken in the course of recreational fishing. This bill will not affect state regulation of recreational fishing of these species.

The bill will not apply to commercial fisheries, which will continue to be subject to the ongoing accreditation processes under part 13 of the EPBC Act. The bill will not affect the offences under part 3 of the EPBC Act, which prohibit actions that have, will have or are likely to have a significant impact on listed migratory species, nor will it affect prohibitions under division 1 of part 13 of the EPBC Act relating to listed threatened species, should mako or porbeagle sharks be listed as a threatened species at any time in the future.

The changes to the EPBC Act proposed by this bill will ensure that international changes to the status of mako and porbeagle sharks and the consequent listing of these species under the act will not affect recreational fishing activities in Australia. These changes reflect the fact that, as the EPBC Act currently stands, the requirement to list mako and porbeagle sharks as migratory species will have a disproportionate and unfair impact on recreational fishers—impacts that extend beyond what the government currently considers is warranted for the protection of mako and porbeagle sharks in Commonwealth waters. This bill is consistent with our international obligations in relation to these species. The government remains committed to shark conservation measures both domestically and internationally, and will continue its active engagement in efforts under the convention on migratory species and in other fora.

Debate (on motion by Mr Coulton) adjourned.

ANTARCTIC TREATY (ENVIRONMENT PROTECTION) AMENDMENT BILL 2010

SOCIAL SECURITY AND FAMILY ASSISTANCE LEGISLATION AMENDMENT (WEEKLY PAYMENTS) BILL 2010

Referred to Main Committee

Mr PRICE (Chifley) (9.18 am)—by leave—I move:

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

I inform all honourable members that this motion enjoys the support of the Chief Opposition Whip, the honourable member for Fairfax.

Question agreed to.

COMMITTEES

Public Works Committee

Reference

Dr KELLY (Eden-Monaro—Parliamentary Secretary for Defence Support and Parliamentary Secretary for Water) (9.19 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Construction of a centre for Accelerator Science and extensions to other facilities for the Australian Nuclear Science and Technology Organisation, at Lucas Heights, New South Wales.

The Australian Nuclear Science and Technology Organisation, ANSTO, proposes to undertake at its Lucas Heights, New South Wales site the construction of a new Centre for Accelerator Science, an extension to the Bragg Institute and an extension to the OPAL
reactor building. The proposed Centre for Accelerator Science will enhance Australia’s capability for the vital studies of climate and environmental science, nuclear safeguards and forensics, materials science, human history, medical physics and radiation physics.

In the 2008-09 budget the government allocated $25 million under the Education Investment Fund to establish the new Centre for Accelerator Science. ANSTO’s OPAL reactor’s neutron beam instruments are used by Australian and international researchers and industry in an extremely wide range of science. Given the increasing demand for the operational instruments and the impending addition of new neutron beam instruments, the Bragg Institute and the OPAL reactor building have reached capacity and require extensions. ANSTO proposes to construct and fit out additional offices and laboratories at the Bragg Institute to accommodate approximately 150 staff and students based at ANSTO, visitors and researchers.

ANSTO further proposes to construct and fit out additional offices, workshops and laboratories at the OPAL reactor building to support reactor operations. This project will also provide additional facilities and accommodation to optimise ANSTO’s ability to produce radioisotopes and irradiate silicon. The estimated out-turn cost of the proposal is $62.5 million including GST. Subject to parliamentary approval, construction will commence in November 2010 and be completed by September 2012. I commend the motion to the House.

Mr LINDSAY (Herbert) (9.21 am)—I welcome this referral to the Parliamentary Standing Committee on Public Works. It is one of the super science projects involving the Centre for Accelerator Science and I look forward to attending those hearings. I would like to advise the House that the Public Works Committee this morning has approved as a medium work the integrated waste management facility at ANSTO. The existing waste conditioning and packaging building will be upgraded and extended to ensure that radioactive waste at ANSTO is processed, conditioned and packaged for long-term storage and ultimate disposal to a waste repository. I am very supportive of that.

Question agreed to.

Electoral Matters Committee Report

Mr MELHAM (Banks) (9.22 am)—On behalf of the Joint Standing Committee on Electoral Matters I present the committee’s report, incorporating a dissenting report, entitled Inquiry into the implications of the Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Act 2009 (NSW) for the conduct of Commonwealth elections.

Ordered that the report be made a parliamentary paper.

Mr MELHAM—by leave—Declining electoral enrolment continues to present a significant challenge not only for Australia but also for many countries and jurisdictions. Existing paper based enrolment requirements under Commonwealth legislation are a deterrent to the current generation of Australians who are accustomed to conducting business with government agencies through electronic transactions. The introduction of flexible approaches which modernise electoral enrolment processes is a vital component of addressing the challenge of declining enrolment.

The New South Wales parliament has taken legislative action to address concerns over declining enrolment levels with the introduction of new electoral enrolment legislation which received bipartisan support and was assented to on 14 December 2009. During the debate in the New South Wales Leg-
Mr Craig Baumann MP stated:
The Liberal-Nationals do not oppose this bill because we believe it better reflects the democratic system in place in New South Wales.
The legislation gives effect to a smart enrolment system concept that has been developed in the state to introduce a new automatic enrolment system for New South Wales elections. The Smart Roll system operates around the notion that there are alternative ways for electors to be enrolled and to notify a change in their enrolment details, particularly where such information has already been provided to other government agencies. New South Wales legislation also allows for enrolment for provisional voting on the day of polling, subject to adequate identification being produced.

In evidence to the committee, the New South Wales Electoral Commissioner, Mr Colin Barry, stated that there were four aims of the Smart Roll process: to reduce the number of eligible NSW electors missing from the electoral roll; to improve the time in which electors’ address details are changed when they move address; to improve the quality of the enrolment register in New South Wales; and to provide electors and citizens with a simpler system to enrol and have their addresses updated. With the passage of this legislation, New South Wales will no longer rely on the Australian Electoral Commission to prepare and maintain rolls for New South Wales elections. The New South Wales Electoral Commissioner will assume responsibility for preparing and maintaining a roll for each New South Wales electoral district using enrolment data supplied by the Commonwealth and data held by various New South Wales government agencies.

The committee was asked to consider the implications of this legislation for the conduct of Commonwealth elections. The New South Wales legislation could have significant implications for the conduct of federal elections if Commonwealth legislation is not amended to allow for similar provisions. Having two different enrolment regimes operating at the Commonwealth and state levels creates the potential for elector confusion. Of particular concern is the scenario whereby voters in New South Wales are enrolled automatically for that state’s elections and mistakenly believe that they have also been enrolled for the purpose of federal elections. During debate in the New South Wales Legislative Council, in which the bill received bipartisan support, opposition member the Hon. Don Harwin MLC stated:

Many people will also be annoyed when they find out that they have been automatically enrolled for State and local government elections but that they still need to fill out a paper-based application to be enrolled or to change their enrolment to vote in Federal elections. Of course, the remedy lies in action at a Federal level.

The committee has determined that legislative change is required at the Commonwealth level to complement the new New South Wales legislation and to facilitate opportunities for the AEC to effectively address declining enrolment participation across Australia by allowing the automatic enrolment of electors. If granted the power to implement similar automatic enrolment measures, the AEC has acknowledged that it would proceed with caution and conservatism, and would apply carefully designed business rules to ensure the integrity of the electoral roll is maintained. The committee supports Commonwealth legislation being amended to allow the AEC to automatically enrol electors on the basis of data provided by trusted agencies.

To ensure that automatic enrolment does not inadvertently limit the ability for eligible electors to exercise the franchise, election
day enrolment is proposed as a safety net to capture those electors who have not been picked up through automatic enrolment processes, as well as those who have been removed from the electoral roll in error or enrolled at the wrong address. While accuracy and entitlement are critical to the integrity of the electoral roll, it is important not to overlook that roll completeness is also a fundamental element of roll integrity. Implementation of the committee’s recommendations will reduce the potential for elector confusion which would likely prevail where two different enrolment systems are operating at the Commonwealth and state levels. Moreover, the recommendations include the provision of further measures to progress reforms which will assist the AEC in its ongoing challenge to address the declining rate of electoral participation in Australia.

I thank my committee colleagues for their contribution to the report, and those organisations and individuals who prepared submissions and appeared as witnesses before the committee. I would also like to thank the committee secretariat for their work in preparing this report. I commend the report to the House.

Mr ROBB (Goldstein) (9.29 am)—by leave—I rise to speak on this Joint Standing Committee on Electoral Matters inquiry, which looked into the implications of the New South Wales Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Bill 2009 for the conduct of Commonwealth elections, including any consequences for the enrolment of persons living in New South Wales for the purposes of Commonwealth elections.

We have just heard the chair of the committee provide the formal report and the recommendations that were made by the government members on the committee. The first recommendation that has been made in the report by the government members is:
The committee recommends that the Commonwealth Electoral Act 1918 be amended to allow the Australian Electoral Commission to automatically enrol electors on the basis of data provided by trusted agencies.

The second recommendation is:
The committee recommends that the Commonwealth Electoral Act 1918 be amended to allow for electors to enrol on Election Day and to issue a provisional vote, subject to the elector being able to provide suitable identification to the Australian Electoral Commission.

The third recommendation is for complementary amendments to give effect to these recommendations.

Opposition members and senators agree with the objective of increasing the number of eligible Australians enrolled and eligible to exercise the franchise. It is a very important objective and one that we have consistently sought to give effect to in this place. However, the maintenance of the integrity of the roll is critical. It is absolutely fundamental that people have confidence in the integrity of the roll, for the value of the franchise as well as public faith in our electoral processes.

As a consequence, opposition members have put in a dissenting report. We do not agree—we strongly disagree—with the recommendations that are listed in this report. The proposal to enact a radical and untested provision to automatically enrol voters to the Commonwealth electoral roll endangers the integrity of the electoral roll and potentially the degree of public faith in it.

The government majority report based its case for automatic enrolment on an alleged decline in participation. However, no evidence is provided to illustrate that Australia is undergoing a dramatic decline in enrolment or voting due to the current processes,
procedures and requirements. Indeed, if you look over the last three or four years, the improved management of the rolls by the AEC—which is, I think, commended by both sides of the House—may well lead to a temporary decline in numbers due to the more effective management of the rolls and the removal of those not entitled to be enrolled.

Furthermore, the responsibility to enrol to vote lies with the individual. This is a very important factor, I think, in the consideration of this report. We have to have a responsibility of people in the community to ensure that they are enrolled. It is fundamentally their responsibility. It is not for the state to automatically enrol people without their knowledge and for them to just assume, turn up and expect to be enrolled. It is a fundamental responsibility within our democracy for people to exercise their duty to ensure that they are properly enrolled and, when they move, that they advise the commission accordingly and then remain on the roll as a part of their fundamental responsibility. The Commonwealth Electoral Act requires those eligible to enrol to vote. Any implication that there is an onerous requirement should be rejected. Complying with the current requirement is not especially difficult; in fact, it is made very easy by the commission and it is far simpler than many other standard procedures that people apply for in their everyday lives.

Recommendation 1, which looks at amending the act to automatically enrol voters on the basis of data provided by trusted agencies, is strongly opposed by the opposition members and senators. The provisions of the New South Wales amendments have not yet been tested either in practice between elections or at an election, and there remain substantial questions about their effectiveness and their impact upon the integrity of the roll. The experiment in moving away from the traditional and well-regarded enrolment procedure should not be replicated in Commonwealth legislation, as the risks have not been assessed in any sense. The AEC believes that the declining enrolment rate is in part caused by outdated and overly prescriptive legislation. If this is taken at face value, there is a reason to reconsider some of these practices, but it does not justify a movement away from individual registration to automatic enrolment.

Firstly, the reliance on external data sources that have been collated and then are utilised for other purposes does not make them fit for use in forming the electoral roll. Even the government majority concedes this in paragraph 2.3 of the majority report:

… there is concern about the potential for the integrity of the electoral roll to be compromised by allowing elector records to be updated based on data received from trusted agencies—such as tax file numbers, driving licences or whatever—when that data has not been collected specifically for the purpose of updating the electoral roll.

Furthermore, while the New South Wales procedures allow the commissioner to determine trusted data, opposition members and senators remain to be convinced that government-held data sources are appropriate for such a necessarily rigorous process as compiling the electoral roll. A 1999 report by the House of Representatives Standing Committee on Economics, Finance and Public Administration, *Numbers on the run: review of the ANAO audit report No. 37 1998-99 on the management of tax file numbers*, found that there were 3.2 million more tax file numbers than people in Australia at the last census, that there were 185,000 potential duplicate tax records for individuals and that 62 per cent of deceased clients were not recorded as deceased in a sample match. That sort of inaccuracy is common among other trusted data sources, and to rely on those trusted data sources as a basis for enrolling
people is fraught with danger, and the integrity of the roll is put at great risk.

In simple terms, where there are such examples of inconsistency in Commonwealth data, there cannot be sufficient faith in this data being used to automatically add people to the electoral roll. Given that there are a number of federal electorates that have margins under 100 votes, such as McEwen, Bowman and Robertson, even a one per cent error in the information sourced from the various agencies would have significant ramifications for the outcome of a seat or even an election.

The second recommendation, which is looking to allow electors to enrol on election day, also has a number of major problems, as it will expose the roll to fraudulent enrolments and potentially cause significant delays on election day. The uncertainty of this provision was illustrated by Mr Barry, New South Wales Electoral Commissioner:

We are going into some uncharted territories. There are some risks associated with the uncertainty about how many people are going to turn up on election day …

In addition, it cannot be expected that the election officials, given the pressures and time constraints placed upon them on election day, will closely cross-check every enrolment form accurately. In some cases the election official is also open to people claiming to be the person on the driver’s licence when indeed they are not. There will be fundamental disputes with election officials on election day.

Secondly, the recommendation will cause lengthy queues on election day. It will also provide delays in finalising the count while awaiting verification of the enrolments received that day. Third, the election day enrolment will inadvertently provide an incentive for people not to comply with the existing law and initially enrol or update their election details when they move residence. Finally, election day enrolment breaches the important principle that candidates should know their electors.

In conclusion, such changes to the Commonwealth Electoral Act 1918 as recommended in this inquiry could exacerbate perceptions in the community that the electoral system is flawed. It is more important to have a system that takes every step to maintain the integrity of the processes involved than to undertake untested measures to increase enrolment numbers. If the electoral system is seen to be lacking in transparency or integrity, there is every chance that Australians will become less likely to participate in the voting process, to the detriment of our democratic system.

**ELECTORAL AND REFERENDUM AMENDMENT (CLOSE OF ROLLS AND OTHER MEASURES) BILL 2010 Second Reading**

Debate resumed from 11 February, on motion by Mr Byrne:

That this bill be now read a second time.

**Mr HOCKEY (North Sydney) (9.39 am)—**The Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010 contains five schedules which will, firstly, restore the close of rolls period to seven days after the issue of the writ for an election; secondly, repeal the requirement for provisional voters to provide evidence of identity before their votes are admitted to scrutiny; thirdly, enable prepoll votes cast in the electors’ home divisions to be cast and counted as ordinary votes wherever practicable; fourthly, allow the Australian Electoral Commission to process enrolment transactions outside the division in which the person is enrolling and enable electors to update their enrolment details electronically; and, finally, restrict the num-
Schedule 1 deals with amendments relating to the close of rolls. The amendments in this bill that relate to the closing of rolls seven days after the writs are issued will be opposed by the coalition. The previous government, in line with longstanding policy, moved to protect the integrity of the roll and prevent fraudulent enrolments by reducing the time period between the calling of an election and the closing of rolls. The closure of the rolls seven days after the issue of a writ is a significant threat to the integrity of the electoral roll. The coalition considers that the existing arrangements ensure that the electoral roll contains a high degree of accuracy and integrity, and we are concerned that the extra time period allows for a return to a system which permits calculated fraudulent enrolments to take place.

The coalition believes a return to the previous system of seven days will serve to discourage citizens from making or maintaining their enrolment during the ordinary course of the year, as they will have the opportunity to delay such action until an election is called. It also increases the opportunity for selective fraudulent enrolment. This policy was reaffirmed by the coalition senators’ minority report in the June 2009 Report on the conduct of the 2007 federal election and matters related thereto of the Joint Standing Committee on Electoral Matters. This minority report was of course ignored by the government in this legislation. The government is seeking to open a loophole whereby people are able to enrol fraudulently in electorates to provide political advantage to a particular candidate or political party. I will talk a little bit more about that in a moment.

Schedule 2 amendments relate to evidence of identity for provisional votes. The amendments relating to the evidence for provisional votes will also be opposed by the coalition. The previous government, in line with longstanding policy, moved to prevent fraudulent voting by people impersonating other voters. The previous government did this by requiring that people who claim a provisional vote in an election be required to produce evidence of their true identity and their enrolled address either on polling day or in the week following polling day. This was an important protection against fraudulent voting, something I will touch on again in a moment. People who live at a location for 21 days are, by law, required to enrol at that address. If they do not do so, they are breaking the law. It’s true that they may not be aware of any changes to boundaries, which could affect which electorate they reside in; however, they are aware of the fact that they have changed address.

Effectively, the changes proposed by the government mean there is no consequence for breaching the Electoral Act. The benefits of correctly enrolling are reduced to nothing and there is no disincentive for any person who fails to correctly enrol, leading to a situation where the whole basis for the AEC’s Continuous Roll Update program is severely undermined. Any proposal to weaken the rules related to proof of identity for provisional votes should be opposed, because they may encourage people to ignore the necessity of maintaining a correct enrolment and because the proposed amendment makes fraudulent voting easier. This policy was also reaffirmed in the coalition senators’ minority report which I referred to a little bit earlier.

Schedule 3 contains amendments relating to prepoll voting. The coalition will support the amendments relating to prepoll voting. At the current time there is a significant and unnecessary administrative burden on the AEC for processing prepoll votes cast within the elector’s own division. At the current
time, these votes are treated as declaration votes and must go through an administrative checking procedure in the weeks following polling day. The government’s proposal seeks to treat these votes as ordinary votes; although, electors who wish to cast them will still be required to fill out and sign a declaration asserting the elector’s need to cast such a vote. The net effect of this proposal has no ill consequences for either the integrity or the role of polling day practices. This is because the elector’s name will be immediately crossed off the roll on polling day, and notification of who has cast prepoll votes is circulated to each polling booth. In many ways this system actually has more integrity than the issuance of provisional votes on polling day. An additional benefit will be that these prepoll votes will now be able to be counted on the night, leading to an earlier, more accurate result of the vote. This is especially useful, given that prepoll levels are usually quite a significant percentage of the total vote.

The amendments in schedule 4 concerning the processing of enrolments will also be supported by the coalition. This is an administrative amendment which allows the AEC to transfer workload relating to the processing of enrolments between different divisional returning officers. There are strong efficiency arguments to be made in allowing DROs to farm out work to other officers, particularly during high levels of demand or sickness of staff, or if staff leave requirements leave a DRO short-staffed for a period and they are unable to manage the unexpected workload. This schedule also allows for people who are already on the roll to update their details electronically—and this is a welcome development. There is no provision for new enrolments to be lodged electronically. People who wish to use electronic update will have to provide confirming details such as a drivers licence, passport or citizen-ship number, which already form the basis of identity checks used by the AEC.

Amendments relating to nomination of candidates are in schedule 5. The amendment relating to the restriction on the number of nomination of candidates by a party will be supported by the coalition. At the Bradfield by-election in 2010, the Christian Democratic Party endorsed nine candidates to contest the seat. That was a political mistake and not just a procedural flaw. It is understood that this was a deliberate tactic to try to drive up the informal vote amongst those voters with poor English and numeracy skills. Previous AEC research has demonstrated that the more candidates there are in an electoral contest the greater the likelihood of informality. This is especially the case in electorates with a high non-English speaking background population. Further analysis indicated that most of the informality related to a failure to correctly number all boxes on the ballot paper.

So we have taken a very reasonable approach in opposing the first two initiatives and accepting and supporting the last three initiatives. It reminds me of the fact that you cannot always trust the Labor Party when it comes to electoral reform. There is a history of a number of people in this place in relation to electoral matters and alleged electoral rorts. Quite obviously, the recent appointment by Senator Conroy of Mike Kaiser to a $450,000 unadvertised, uncontested job reminded me of Mr Kaiser’s engagement in electoral fraud in Queensland. The Canberra Times reported on 11 January 2001:

In the Shepherdson inquiry yesterday, Mr Kaiser admitted his signature appeared on a fraudulent enrolment form. It goes on to say that he signed the form but claimed to have no memory of doing so. It also said:
A third Queensland Labor back-bencher fell on his sword yesterday after admitting to electoral fraud …

The DEPUTY SPEAKER (Hon. BC Scott)—Order! Member for North Sydney, resume your seat. The Attorney-General has a point of order.

Mr McClelland—I draw the attention of the House and my friend to the issue of relevance to the debate and I ask you, Mr Deputy Speaker Scott, to keep an eye on that issue.

The DEPUTY SPEAKER (Hon. BC Scott)—There is no point of order. The member for North Sydney has the call. We are debating electoral matters. I thought the member was quite relevant to the bill before the House.

Mr HOCKEY—That was a valiant effort from the Attorney-General. So there was electoral fraud. Mr Kaiser admitted at the Shepherdson inquiry that he was engaged in a fraudulent enrolment form. How is he rewarded? Within a short period of time of Labor coming into government, Mr Kaiser gets a $450,000 a year job. He actually earns more than the Prime Minister as a PR consultant for the National Broadband Network, and the job was organised by his good friend and fellow right-wing colleague, Senator Conroy. But I needed to refresh my memory about the Shepherdson inquiry—

Mr Danby interjecting—

Mr HOCKEY—It was an investigation into electoral fraud, as the member for Melbourne Ports will remember. And that reminded me of the relationship between Mike Kaiser and the now Treasurer, Wayne Swan. And again, thanks to the Canberra Times for this quote—although we did dig a little deeper—25 November 2000:

Mr Swan, with Mr Kaiser, has been mentioned in relation to alleged ‘war stories’ told by senior Australian Workers Union faction figures at a camp for faction workers. Mr Swan was said to have boasted that he once had about a dozen people listed as living in his house in the 1980s, while Mr Kaiser was said to have talked of having nine people registered as living in his small flat.

Mr Danby—that’s a proven allegation, isn’t it? In a newspaper—a press cutting!

Mr HOCKEY—Well, the interesting thing about this relates to the role of the AWU. And Peter Beattie, whom the Canberra Times described as ‘beleaguered Queensland Premier Peter Beattie’, had to come back from Japan to deal with this issue. Perhaps the Shepherdson inquiry should be left to another day, if necessary. But that is not the Treasurer’s only engagement. He had to be stood down by the then Leader of the Opposition some years ago—

Mr McClelland—Mr Deputy Speaker, I rise on a point of order. I would just draw to my friend’s attention that if he wants to make—

The DEPUTY SPEAKER (Hon. BC Scott)—What is your point of order?

Mr McClelland—that if my friend wants to make allegations against another member of this House, he is required to do so by the appropriate form. That is my point of order.

The DEPUTY SPEAKER—The bill before us is on electoral matters and the integrity of rolls. I take the Attorney-General’s point in relation to personal attacks, and I would ask the member for North Sydney to keep his remarks confined to the bill and to be aware of the Attorney-General’s comments in relation to personal allegations against members.

Mr HOCKEY—Far be it for me to engage in personal slurs, in the same format as used by the Treasurer. Far be it for me to go down that path. I am noting allegations of electoral fraud and an inquiry into electoral fraud that dealt with allegations involving...
the now Treasurer. I am simply reminding
the House in the context of this bill of those
events. I am not going into it a great deal.
That will be, if necessary—and I hope it is
not—for another day. I am reminding the
House and the Australian people of the form
of the now Treasurer—that is all.

I remind them of an Australian Federal
Police investigation into a cash for prefer-
ences wrongdoing back in 2001. An Aus-
tralian Federal Police spokesman said that Mr
Swan, who had been stood down from La-
bor’s frontbench during the investigation,
was cleared of allegations that he had paid
the Australian Democrats money in a prefer-
ence deal in 1996. The Federal Police
spokesman said:

There will be no further action taken in rela-
tion to Wayne Swan. I can’t say there is no case to
answer, but no further action will be taken.
The Treasurer is very keen on firing bullets
under the cover of parliament—making alle-
gations and, slurring people. He spends a lot
of time doing that. But he has history and,
when it comes to electoral matters and mat-
ters of integrity, there are allegations that
have been placed on the record—that have
been cleared.

When it comes to playing with the elec-
toral rolls and when it comes to electoral
reform, the Labor Party has form. Therefore,
we come to this debate very sceptical of the
role of the Treasurer, the role of the Labor
Party, the links with Mike Kaiser, the history
of the Shepherdson inquiry and a range of
other events that colour our impressions of
whether the government is truly determined
to do something about electoral and political
fraud.

Mr DANBY (Melbourne Ports) (9.55
am)—Many times you rise and participate in
discussions in this House that are usually
politically partisan and a bit ho-hum for the
average member of the public. But, when I
approached this legislation and the measures
introduced by this government, I do so with a
great deal of passion and enthusiasm. The
crusading, democratic ethos of then Prime
Minister Gough Whitlam is one of the fac-
tors that brought me into politics. If people
were truly aware of the extent of the winding
back by the previous government of democ-
Ration rights in Australia through many of the
rorts that were introduced at the last election,
they would understand the importance of this
bill, the Electoral and Referendum Amend-
ment (Close of Rolls and Other Measures)
Bill 2010. When the measures that I am go-
ing to speak about were introduced by the
previous government, the then Labor opposi-
tion said that we would overturn the Howard
government’s undemocratic changes to our
electoral laws, and I think that Senators
Ludwig and Faulkner, having brought for-
ward this bill, are doing exactly what we
committed to at the last election.

I have had a long history on this issue, be-
ing a member of the Joint Standing Commit-
tee on Electoral Matters for most of the time
since I was elected 11 years ago. In October
2005, when the majority report of JSCEM
foreshadowed then government changes to
the act, I presented the opposition’s minority
report, which made it clear that we would
oppose the changes and we would overturn
them when we were returned to government.
In December 2005, the Howard government
brought in its bill, which was based on the
majority report of the Joint Standing Com-
mittee on Electoral Matters. The key ele-
ments of the Liberal bill were: a reduction in
the period of time Australians had to enrol to
to vote and to update their details on the elec-
toral roll, ensuring that many people would
lose their right to vote; and the introduction
of a new proof of identity requirement, mak-
ing it more difficult for people to enrol, to
change their enrolment details or to case a
provisional vote.
The situation before us is not entirely due to those changes but, given Australia’s growing population, it is very alarming from a democratic point of view that the electoral commissioner reported recently at a public hearing that 1.39 million Australians are not enrolled. That really should have been the focus of government changes made over the last few years, rather than allowing the process of taking more Australians off the roll. In May 2006 I spoke several times against the Howard government’s then bill, and I said:

These changes represent the reversal of more than 150 years of democratic progress in Australia, progress towards a more democratic, inclusive and transparent electoral system. Australia has always been an innovator, indeed a world leader, in electoral reform and democratic processes. As a result Australia has one of the most open electoral systems in the world, which has the highest reputation for integrity and transparency. Now, for the first time in memory, an Australian government is going to wind back some of these features of our electoral system for no good reason other than for short-term partisan advantage.

That is what I said about the previous Liberal government’s measures which were put in place for the last election. I felt very strongly about this attack on Australia’s democratic system and I still do. My strong feelings came from an understanding of how precious and fragile democracy and freedom are. All through the terrible events of the 20th century, when much of the world suffered under fascist and communist dictatorships, Australia stood as a beacon of democracy and freedom. Millions of people have come here to Australia to find peace, freedom and democracy. They found a democratic system that, while not perfect, was one of the best in the world.

Australia has always been a pioneer in the development of advanced systems of electoral democracy. The secret ballot was pioneered in Victoria in the 1850s and became known worldwide as the ‘Victorian’ ballot. All adult males had the right to vote in the Australian colonies by the 1860s, long before any European country. They were among the first places where women won the right to vote. In the 1920s we introduced compulsory enrolment and then compulsory voting, making it clear that voting was a civic duty in which all citizens were expected to take part. In 1974 we lowered the voting age to 18. The Hawke government introduced public funding for political parties and the compulsory disclosure of campaign donations when they were elected in 1983.

That is why, in my view, it was shocking to see the previous government introducing its regressive legislation in 2005. This legislation made it harder for people to vote and easier for people to donate money without disclosure. There is no doubt at all that the effect of this legislation was to take large numbers of people off the electoral roll and to prevent large numbers of people who were on the roll actually casting their vote at the 2007 federal election.

This was confirmed by the very thorough report of the Joint Standing Committee on Electoral Matters on the conduct of the 2007 federal election, which was presented to parliament in August 2009 by my good friend the honourable member for Banks. The report showed that the Howard changes had the effect of disenfranchising tens of thousands of Australian citizens at the 2007 election, which is exactly what we predicted would happen. At least 50,000 people we know of—on the basis of past experience—would have enrolled in the traditional seven-day period of grace after the calling of the last election, but they were prevented from doing so. Many more were disenfranchised by being taken off the roll by the AEC when they changed their address and were then
deterred from re-enrolling by the more onerous enrolment procedures.

In 2004, 77,000 people were added to the rolls after the calling of the election because they had been incorrectly removed. In 2007, only 1,400 of these people were able to get back on the rolls on election day. These changes were entirely due to the legislation of the previous government. My estimate is that about 100,000 Australians were prevented from enrolling or voting by the changes made by the previous government. I also believe that a majority, perhaps a large majority, of those disenfranchised people came from social groups more likely to vote Labor: first time voters, new citizens, Indigenous Australians, people with poor English or low literacy skills, itinerant workers and even homeless people. There was the belief that the Australian government did this in order to disenfranchise their fellow Australians because they thought that these social groups were more likely to vote for the then opposition.

The then Liberal government justified these measures by what they called the ‘protection of the integrity of the electoral roll’. This was the thrust of their report in 2005 and the thrust of their speeches in support of the bill in 2006. In fact, there was no evidence of any significant degree of electoral fraud in Australian federal elections and there was no merit to the coalition’s claims that these regressive changes were required to protect the integrity of the roll. These claims were nothing but a fig leaf for the coalition’s naked self-interest.

Let me just recount that between 1990 and 2001 there were six electoral events. The previous speaker, the member for North Sydney, was talking so knowledgeably about the Shepherdson inquiry but he could not mention how many people were involved because his argument would have been shamed by the fact that there were so few. Between 1990 and 2001 there were six electoral events at which 12 million Australians voted at each opportunity. Six times 12 million is 72 million. In that entire period the Electoral Commission showed that there were 72 proven cases of electoral fraud—one per million. Why would you change the legislation affecting all Australians’ right to vote on the basis of one fraud per million, especially in the context of democratic countries like the United States who had such problems with their voting systems at presidential elections and which actually led to a dispute over a presidential election count.

The AEC, the independent statutory authority charged with safeguarding the integrity of our electoral system and whose commissioner was appointed by the Howard government, said in October 2001: It has been concluded by every parliamentary and judicial inquiry into the conduct of federal elections, since the AEC was established as an independent statutory authority in 1984, that there has been no widespread and organised attempt to defraud the federal electoral system … and that the level of fraudulent enrolment and voting is not sufficient to have overturned the result in any Division in Australia.

This view was shared by Emeritus Professor Colin Hughes, a highly respected former electoral commissioner, who wrote in 2005: … the thorough review of the electoral roll conducted in 2002 by the Australian National Audit Office … concluded ‘that, overall, the Australian electoral roll is one of high integrity, and can be relied on for electoral purposes’. There are adequate safeguards in the current electoral laws and procedures to deal with any … attempts at fraud without stripping the vote from hundreds of thousands of citizens.

The inquiry by the Joint Standing Committee on Electoral Matters into the 2007 election received a submission from the AEC which said:
… it can be clearly stated, in relation to false identities, that there has never been any evidence of widespread or organised enrolment fraud in Australia.

These comments go to prove the correctness of the point made by the veteran election analyst Malcolm Mackerras, a former researcher for the Liberal Party, when he said that the changes in the Howard legislation were motivated solely by ‘a relentless pursuit of the electoral interests of the Liberal Party’. As it turned out, these changes were not sufficient to save the Howard government from defeat at the last election, but had the election been closer their manipulation of the electoral system might have changed the results. As I noted earlier, a significant number of people lost their right to vote because they were unable to enrol either because they missed the cut-off date or because they did not have photo ID when they went to enrol. Others lost their votes when they tried to cast provisional votes but were unable to do so because they did not have photo ID.

The report into the 2007 election found that more than 27,000 provisional votes were rejected because they did not comply with the new requirements. The number of formal provisional votes fell from 112,000 in 2004 to 42,000 in 2007. A disproportionate number of these would have been two-party preferred Labor voters. My view is that enough Labor voters were disenfranchised to allow the coalition to win at least four seats—Bowman, Dickson, McEwen and Swan. These seats would otherwise not have been lost by Labor at the 2007 election. This is not just my view. The joint standing committee heard evidence from Professor Brian Costar, of Swinburne University, one of Australia’s most respected political scientists. Professor Costar testified that these changes to the electoral roll had a partisan effect, namely that it took votes away from the Labor Party. His estimate was that this change cost Labor three seats in the House of Representatives. Professor Costar told the committee:

I think a case can be made that it changed the result … We know that provisional voters, because of their choice, are not a minor image of the electorate as a whole. They tend to be more Labor and Green than they are Liberal, National, or anything else. My view about it is that it is a demographic explanation. There is nothing partisan about it; that is just how it is.

The bill we are discussing today will reverse these retrograde changes and will go a long way towards restoring the integrity of our electoral system. The bill implements the main amendments of the joint standing committee’s report. As one of the government members on the committee, I am pleased to be able to play a part today in laying the foundations for this bill. The main provisions of this bill are: to restore the close of rolls period to seven days after the issue of the writ for an election, to repeal the requirement for provisional voters to provide evidence of identity before their votes are admitted to scrutiny, to modernise enrolment processes to enable electors to update their enrolment details electronically, to allow the AEC to manage its workload more efficiently by enabling enrolment transactions to be processed outside the division for which the person is enrolling, and to enable prepoll votes cast in an elector’s ‘home’ division to be cast and counted as ordinary votes wherever practicable.

The bill also contains one additional measure relating to the number of candidates that can be endorsed by a political party in a single seat. This provision was made necessary by the antics of Fred Nile’s party at the 2009 Bradfield by-election. I am sure that members opposite share in our interest in including this. By running nine different candidates in the by-election, Mr Nile pushed the informal vote up and deprived hundreds of people of their formal vote.
There is no legitimate reason why a party should be allowed to flood the ballot paper with unelectable candidates. It amounts to sabotage of the political process.

This bill is the culmination of a long process, and it is very welcome. I hope it will be passed by both houses in time to have effect at the election later this year. There is no doubt that the government has a mandate for this bill, and I hope that the opposition will not try to make their bad record worse by blocking it in the Senate. If they do, a re-elected Labor government will bring it back next year, when I believe we will have a Senate that is much more reflective of the wishes of the Australian people. Either way, sooner or later, we will reverse the regressive changes inflicted on our democracy by the previous government.

The main task of any Australian democrat looking at the Australian electoral system is to get those 1.39 million Australians who are not enrolled back on the electoral roll. We have a compulsory voting system. We are honour bound to try to get those people back on the electoral roll. This legislation handles the people who were, very unjustly and for partisan political purposes, taken off the electoral roll by the previous government. This is a first step in ensuring that Australia remains at the forefront of democratic processes and transparency in the international community.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MINISTERIAL STATEMENTS

Foreign Affairs: Australian Passports

Mr STEPHEN SMITH (Perth—Minister for Foreign Affairs) (10.11 am)—by leave—

On 20 January this year, senior Hamas figure Mahmud al-Mabhouh was found murdered in a hotel room in Dubai in the United Arab Emirates. On 16 February, police in Dubai announced that falsified passports from the United Kingdom, Ireland, France and Germany had been used in connection with the case. Late on 22 February, Dubai authorities approached Australian officials in the United Arab Emirates with an inquiry about two Australian passports in possible connection with the murder. Late on 23 February, Dubai authorities confirmed to Australian officials that they were investigating the use of a total of three Australian passports in connection with the murder. Since that time, Australian officials have been fully cooperating with the Dubai authorities in their investigations.

Yesterday, Wednesday, 24 February, I spoke to my counterpart, United Arab Emirates foreign minister His Highness Sheikh Abdullah. I advised him that the Australian government was taking the matter extremely seriously and that the Australian government, its officials and its agencies would continue to fully cooperate with Dubai authorities.

Overnight, Dubai authorities announced publicly that, in connection with the murder, they were investigating three people who had used Australian passports. The passports concerned were under the names of Joshua Bruce, Adam Korman and Nicole McCabe. The Australian government is very gravely concerned that these Australian passports appear to have been used fraudulently.

The Australian government has asked the Australian Federal Police to investigate the possible fraudulent use of these passports. The Australian Federal Police will conduct a full investigation with the assistance of the Australian Passport Office and other relevant agencies, including the Australian Security Intelligence Organisation, ASIO. The Australian Federal Police will continue to cooperate closely with authorities in Dubai in the investigation into the murder of al-Mabhouh.

Preliminary analysis by the Australian Federal Police, together with the Australian
Passport Office, shows that the three Australian passports appear to have been duplicated or altered. At this stage, Australian officials have no information to suggest the three Australian passport holders were involved in any way other than as victims of passport or identity fraud. The Australian government condemns in the strongest possible terms the misuse and the abuse of Australian passports.

Earlier this morning I called in the Israeli Ambassador to Australia, Ambassador Rotem. I made it crystal clear to the ambassador that the Australian government regards this as a matter of the gravest concern. I underlined to Ambassador Rotem that Australia expected the Israeli government, its officials and its agencies to cooperate fully and transparently with the Australian Federal Police investigation into this matter.

We will all be rightly concerned about the impact this incident will have on the Australians concerned and their families. Officials from the Australian Passport Office have been in the process of contacting Mr Bruce, Mr Korman and Miss McCabe and their families. We will of course offer the three Australians full consular support and assistance.

The Australian government is committed to ensuring the integrity of Australia’s passports. Considerable resources and effort are put into ensuring the integrity of the Australian passport. Indeed, Australia is a recognised leader in the development and implementation of secure passport technology. Regrettably, no document is ever completely safe from people who try to tamper with it for criminal or illegal purposes. The three passports in question here were issued in 2003. Since that time there have been a number of significant enhancements to Australian passports. The Australian government will continue to make the security and integrity of the Australian passport system one of its highest priorities.

I will keep the House informed of developments in this matter and I thank the House for its indulgence.

**ELECTORAL AND REFERENDUM AMENDMENT (CLOSE OF ROLLS AND OTHER MEASURES) BILL 2010**

Second Reading

Debate resumed.

Mr DANBY (Melbourne Ports) (10.16 am)—The context in which we are looking at this legislation, the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010, is that, according to the latest facts reported to us by the Australian Electoral Commissioner and the Australian Bureau of Statistics, there are 13-plus million people in Australia who are eligible to vote but 1.39 million who are not on the electoral roll. I have full confidence in the Electoral Commission’s ability, with this legislation and other measures recommended by the Joint Committee on Electoral Matters and the minister, to turn that tide around over time. That should be our top democratic priority. We have a compulsory voting system and it is outrageous that almost 1.4 million Australians, out of a population of eligible voters of over 13 million, are off the electoral roll.

The proportion of Australians voting at successive elections has been dropping over the years because of a very simple fact. As members of parliament, we know that it is legislated that the Electoral Commission must advise people when it becomes aware of a change in their address through the process known as continuous roll update and it is then incumbent on the voter to advise the AEC that they are at the new address. This is very problematic, because increasingly these days, with younger people travelling, snail mail is not returned and, if the
process is left over time, more and more people are taking themselves, completely inadvertently, off the electoral roll. The measures in this bill help that by giving people extra time after the election is called to enrol. This particularly affects young people, who do not have politics at the forefront of their mind. The statistics for 18- to 25-year-olds not on the electoral roll are quite frightening for the democratic process in Australia. It is something we need to work hard to reverse.

I might remind you, Mr Deputy Speaker Scott, that the previous government, the Howard government, was elected in 1996, 1998, 2001 and 2004 exactly on the kinds of laws that we are proposing to put back on the statute book. There was nothing dodgy about the election of the previous government at those elections and therefore the changes that it made at the 2007 election can only be deciphered as being for the reason of gaining for itself narrow, partisan political advantage. We are simply reverting to an electoral system that existed at those previous elections. Of course, those elections were won by the previous conservative government, making a slightly more level playing field. These changes are long overdue in this parliament. I hope they pass the Senate and are not blocked by people seeking to perpetuate a narrow, partisan political advantage against the democratic interests of the vast majority of the Australian people.

Mr Lindsay (Herbert) (10.20 am)—I am pleased to address the parliament on the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010 this morning because I represent an electorate which basically was electoral fraud central in days gone by. I challenge what the member for Melbourne Ports said in his contribution, which was that no election in the history of Australia has been overturned by electoral fraud. I would remind—

Mr Danby—That’s what the AEC said.
Mr Lindsay—What was your comment?

The Deputy Speaker (Hon. BC Scott)—The member for Herbert should not conduct a discussion across the chamber. Will the member for Herbert, who has the call, not respond to interjections from the member for Melbourne Ports.

Mr Lindsay—I would like to remind the member for Melbourne Ports—and you, Mr Deputy Speaker, will well know—that the government of Queensland was changed because of electoral fraud. You will remember the member for Mundingburra, Frank Tanti, who stood against the former Mayor of Townsville, Tony Mooney at the time of the—

Mr Perrett—What about the next election?

Mr Lindsay—at the time of the Goss government, Member for Moreton, and electoral fraud occurred in that election. It went to the courts and the courts determined that that fraud, among other things, could have changed the result of the election. A new election was ordered in Mundingburra. The Liberal Party’s Frank Tanti won that election. The Goss government lost its majority and the Borbidge government was elected. So, Member for Melbourne Ports, small numbers of fraudulent voters can, in fact, change the result of an election process. You cannot come in here and argue, as you did, that only one in a million voters commits fraud, when you can change the government of a state of Australia because of small numbers of voters committing electoral fraud.

I am reminded that this was not the only evidence of electoral fraud in my electorate. I well remember the investigations that I was involved in, looking at who voted where and why. I found electors enrolled at the local council drain. There was no house there—it
was a drain. There were six electors enrolled in the drain. That is really concerning. These anomalies went on for some time because the integrity of the electoral roll was not there.

I am also reminded that former Townsville city councillor—a Labor city councillor—Karen Ehrmann was sent to jail because of electoral fraud. I am further reminded that a Labor state minister had to resign in Queensland—didn’t he? Mike Kaiser was forced by Premier Beattie to resign because of his involvement in apparent electoral fraud. In his case, it was all about branch-stacking, numbers and getting people elected. He was allegedly enrolling himself in an electorate where he did not live. He committed a fraud in signing a paper which he was not entitled to sign. So he lost his job as the member for Woodridge, I think it was, in Queensland. But isn’t it interesting that he came back as the Premier’s chief of staff? Isn’t it interesting that, without any formal process, he was appointed to a $450,000 job on NBN Co.? It is quite extraordinary. Everything I am saying is on the public record, and isn’t it interesting that the people who have been committing this fraud are all Labor Party people? Isn’t it interesting that this bill before the parliament today, put up by the Labor Party, is basically to enhance their electoral prospects and harvest more votes?

Mr Danby interjecting—

Mr LINDSAY—We are not supporting Schedules 1 and 2, Member for Melbourne Ports. You know we will vote against that. It is very interesting that the member for Melbourne Ports said that the previous amendments to the Electoral Act were made by the Howard government in the interests of enhancing the coalition’s position and that he then went on to tell the parliament that those enhancements took away the votes of the Labor Party—in other words, this bill is before the parliament to restore the votes of the Labor Party. The member for Melbourne Ports admitted to the parliament that the reason this bill is before the parliament is to restore the votes of the Labor Party. That is not a reason to put a bill to the parliament of Australia. We are about good public policy and, in this instance, that should be about the integrity of the electoral roll. That is what it is about. The integrity of the roll should be paramount in our democratic system. There is a small amount of dual voting that goes on in Australia and we should try to make sure, wherever we can, that we minimise that. Schedules 1 and 2 militate against that principal and that is wrong. I am sad to see the Labor Party using their numbers to put something through the House that affects the integrity of the roll.

On the issue of restoring the close of rolls to a period of seven days after the issue of the writ of election, I remind the Labor Party that (1) it is still the law of this land that you should enrol on the electoral roll and (2) nobody is stopping you from enrolling on the roll. By putting this provision in to give you seven days to enrol after the writs are issued, what you are really saying to Australians is, ‘Well, if you don’t enrol, you have actually then got seven days to enrol.’ You are not encouraging people to get on the roll when they should get on the roll, which is before an election. No-one is stopping them getting on the roll. There is no attack on their democratic rights. They can get on the roll as soon as they are 18—in fact, they can get on the roll provisionally before they are 18, but they can vote when they are 18. They do not have to wait until an election is called. So, by leaving the current act the way it is, nobody’s democratic rights are impinged upon. Why does the Labor Party want to change it? The answer is: because it benefits them.

On repealing the provision for provisional voters to provide evidence of identity before their votes are admitted, how could the La-
bor Party logically argue that that should be the principle? Surely you have to identify yourself. We have to identify ourselves in everything else that we do. I am reminded of a funny incident that happened to me last week. I had to get a new ordinary passport, so I went to the post office and took along my official passport and they said, ‘That is not sufficient identification.’ I had to produce my Medicare card, would you believe? It is just extraordinary. Anyway, that is beside the point. I think that it is absolutely mandatory to preserve the integrity of the roll by making people identify themselves. After all, anyone could go up and say, ‘I’m so and so and I want to vote,’ and they will be given a vote under this proposed legislation.

I would also like to draw to the attention of the House the situation in Indigenous Australia. Pro rata, probably more fraudulent voting goes on in Indigenous Australia than in the rest of the country. That is sad. It goes on because it can, and that is why measures that are in this bill should not be in the bill to help get the Indigenous integrity on the electoral roll sorted out. I have seen many instances of this occurring in Indigenous communities. There are associated issues where people actually go and vote for others because they can. I know that the Australian Electoral Commission is concerned about this and I know that they would like to see that addressed.

I support the coalition’s intention to vote against the first two schedules of this bill. The schedules are wrong because they will further destroy the integrity of the roll, and I would like to see the recommendation on those two schedules overturned. I am happy to support the remaining three schedules; they are sensible and practical measures. I thank the House.

Mr PERRETT (Moreton) (10.32 am)—I rise to voice my strong support for the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010. Leaving aside Indigenous battles and the Eureka Stockade incident of 1854, internally here in Australia we enjoy a very healthy democracy. It has endured. It has been stable and strong since Federation without civil war or major crisis. There was only one big hiccup on 11 November 1975, which I will not dwell on. In fact, Australia is one of the longest standing continuous democracies in the world. It is certainly in the top five. When citizens head to the polls in Australia, governments come and go without a shot being fired. Tears are shed—there may have been a few on the other side on election night 2007—but lives are not lost. To paraphrase Malcolm X in one of his speeches, ‘When it comes to the bullet or the ballot box, we wholeheartedly chose the ballot box.’

We should be proud of our great democracy and we should strive to protect and uphold it. As Joni Mitchell said, ‘You don’t know what you’ve got until it’s gone.’ Here we have people who whinge about having to vote. Some of the 10 million or so people who voted on 24 November 2007 whinged about having to do so. You should have some of my constituents, particularly some of the Hazari people from Afghanistan, talk about their involvement with democracy, especially about some of the journeys they had to undertake to get to a polling booth, especially when they were being discriminated against. Since the fall of the Taliban in 2002, Afghanistan has been in transition to democracy and is still developing accountable public institutions and electoral processes.

I want to particularly focus on Afghanistan. Last year the presidential election in Afghanistan was an admirable achievement for a country going through some tough times, but there was a very low voter turnout and those who did vote risked their lives to participate. They travelled through valleys
and experienced incredible circumstances to get to a polling booth. Unfortunately, the results were marred by allegations of intimidation and fraud. Yesterday, I heard on The World Today on the ABC that the position of the Canadian head of the international election watchdog commission had been terminated by the president for doing his job. Apparently, now the president will be choosing a new watchdog.

Afghanistan’s transition to democracy continues and hopefully the forces of good will ensure a more robust and transparent election next time around. You will recall the 2000 Al Gore defeat in the United States and the problems with hanging chads and the like in the Florida electoral process. So when we look at places like Afghanistan, the United States or Iran and many other countries around the world, we should be especially thankful for our democracy and, as members of this parliament, we must do whatever we can to protect the democracy that we have inherited. That is why, through this bill, we are undoing some of the previous government’s work which I firmly believe had a negative impact on our democracy as a whole.

It is no secret that former Prime Minister John Howard enjoyed being the Prime Minister, so much so that when his mates started tapping him on the shoulder he refused to budge. Worse than that, he also started to make some subtle changes to the very electoral processes that had put him in power to further enhance his re-election chances in 2007. In my opinion, this is unforgivable. The coalition were prepared to put bad power before good government. These changes were bad for democracy overall, because they were about intentionally excluding certain people from voting. We heard from the member for Melbourne Ports, and it was stated in one of the submissions to the Joint Standing Committee on Electoral Matters, that analysis of the empirical data showed that the people most likely to be excluded were those who would vote Labor or Green.

If you are John Howard and you are reaching for a fourth term, what do you do if you are on the nose with young people—that particular cohort? Perhaps young people particularly care about climate change, so what do you do if power is more important than principle? You amend the Commonwealth Electoral Act before the 2007 election to close the electoral roll to new enrolments on the very same day that the writ is issued. It was the best way to keep pesky young people off the electoral roll and out of the electoral process and hopefully keep John Howard’s shaky grip on power.

As you know from your own circumstances or from your own electorates, young people are actually much more likely to change address. They tend to rent, rather than to own homes, and they go where the wind takes them, or where friendships take them. You see them on the weekend, lined up and knocking on the doors of their friends with utes, asking to move from one place to another. You see them on Saturdays, moving from place to place. So this was quite a strategic and tricky manoeuvre by the current opposition. It was subtle, but it was mean and tricky, and responsible governments should flee from any similar attempt to manipulate electoral processes or to water down our democracy. This House, and all that it represents, is bigger than all of us. It was not the finest moment for those opposite; that is for sure.

The Rudd government believes that a healthy democracy relies on giving all eligible adults the opportunity to vote. The fact that at December last year almost 1.4 million eligible voters were not on the electoral roll tells us that too many people are fed up with
the political process and they do not want to jump through the hoops to get on the electoral roll. 1.4 million people—that is about 15 members of parliament. Look around the chamber and think of how many MPs that is and the voices that would not get a chance to speak in this parliament. A third of these unenrolled eligible voters were aged between 18 and 25. That is about five MPs—for example, the members for Bowman, Dickson, McEwen, Swan and Mayo—who would not have had a chance to speak because of those young people who did not have a voice in this chamber.

What motivated this incredible change to the process that got the Howard government elected in 1996, 1998, 2001 and 2004? What incredible things forced the removal of 1.4 million people? Look at the report from the Joint Standing Committee on Electoral Matters entitled Report on the conduct of the 2007 federal election and matters related thereto. On the day about 10 million people voted in that election and the total number of votes, when you count them all up, was 12,987,814 votes. How many multiple-voting occasions were there, if this is about cleaning up the roll? Let us look at it: the hot number of actual multiple-voting occasions referred to the Australian Federal Police out of that 12,987,814 was 10, which was 0.0001 per cent. Ten occasions were actually referred to the Australian Federal Police, and of those how many that resulted in prosecutions? Zero!

It is disgraceful to think that for those sorts of results you could wipe 1.4 million people’s votes out. It is shameful. The Rudd government wants to ensure that all people who want to be enrolled to vote have a reasonable opportunity to get on the roll, and we want to remove any unnecessary roadblocks. The suggestion from those opposite is that people who turned up without ID can go down to the electoral office and show the returning officer their ID. How many did it? How many actually turned up to their electoral offices in the next couple of days? It was something like four per cent. So, even though they had turned up to vote and to participate in the democratic process, how many then actually got in their cars—and if you are outside of a city you might have 100, 200 or 500 kilometres to go—to drive to that office within five days of the vote? You are just not going to do it. That is just a reality of the political process. Most Australians are not that passionate about elections or politicians or the like. That is the reality.

The Rudd government wants to ensure that people do have a reasonable opportunity to vote. It is why we made an election commitment to restore the close of rolls to seven days after the issue of the writ for an election. This is a much more appropriate time, a reasonable time, a common-sense time. This bill delivers on our commitment that we took to the Australian people in 2007.

As I said, the Howard government introduced changes to close the electoral roll to new enrolments at 8 pm on the day of the issue of the writ. As it turned out, it was eight o’clock on a Sunday night when you would have had to sort out your details. It meant that people who move around a lot, young people and potential first time voters who are not aware of the process and who do not just turn up to the same polling booth every year, were excluded. They were not able to get on the roll and, consequently, they were not able to take part in the election in 2007.

Mr Briggs—You just write to them all!

The DEPUTY SPEAKER (Mr KJ Thomson)—Order! I understand the member for Mayo will seek the call, so I suggest if he wishes to be heard in silence that he observes the same courtesies.
Mr PERRETT—I will ensure that he is not heard in silence! This bill restores the seven-day enrolment period after the issuing of election writs. This bill also repeals the onerous proof of identity requirements that Howard introduced for provisional voters. As I said, if these voters could not produce a driver’s licence or some photo ID or other evidence on polling day, the elector had five business days to return to the AEC office with proof of identity. It is no wonder that 25 per cent of voters were unable to produce evidence of identity on polling day, and subsequently 27,000 votes were rejected. They were the people who turned up but who had not actually been following the machinations in Parliament House and did not realise that they needed photo ID.

This bill removes the identity provision, but to ensure the integrity of the system it requires the division returning officer to check a voter’s signature against the most recent record whenever there is any doubt about its validity. Australians just want to take part in the democratic process and do not want to have to jump through the hoops to do so.

This bill also brings the enrolment process into the 21st century. While most public institutions are riding the digital wave of the modern era, the electoral roll is back in the horse-and-buggy era. Paper enrolment forms are still required to be signed and sent to the AEC. This bill amends the process, enabling enrolled voters to update their enrolment details electronically. It streamlines the process and, obviously, lowers costs as well. It allows flexibility in how and where enrolments are processed, and where possible enables the counting of prepoll votes cast in an elector’s home division as ordinary votes on election night. That is obviously good news for the psephologists out there, like Antony Green or Malcolm Mackerras, and the election night junkies—many of us are those, and actually like watching results. So it would be good to have that spread of results around the country on election night.

Finally, this bill restricts the number of candidates that can be endorsed by a political party in each division. This amendment is in response to the Bradfield by-election where 22 candidates ran including nine candidates nominated by the Christian Democratic Party. It is ironic that their title should result in this amendment. This is obviously a very confusing situation for electors to face on their ballot paper. This bill closes the loophole and ensures political parties can endorse only one candidate in each electorate.

All these measures are about simplifying the enrolment and voting processes and ensuring that as many Australians as possible are eligible to vote. The quick passage of this bill will ensure that these reforms are in place before a 2010 or 2011—whatever the Prime Minister decides—federal election. I have always been keen for a Kevin 11 campaign, but I am not getting a lot of support. The bill restores democracy to the House and I commend it.

Mr BRIGGS (Mayo) (10.45 am)—I am concerned that the member for Moreton is so eager to put off the election for so long; I am sure he will not do as badly as he thinks he is going to. Obviously, we hope the election is soon so that we can have the election of an Abbott government, as the Speaker preempted so helpfully yesterday. The member for Moreton made the point and I also think that this amendment that stops political parties running nine candidates in a by-election is a good amendment. I note in Bradfield that was the case, but in Bradfield as in my by-election it was very unfortunate that the Labor Party could not find one person to nominate. It would have been nice if the Labor Party had one person to nominate, fight and represent those Labor voters who still to this
day express their great disappointment and anger at the Labor Party for not having the guts and the ability to front up to the Mayo by-election or to the Bradfield and Higgins by-elections. It was very disappointing. Hopefully, the electors in those three seats at the next federal election will send a very clear message to the hollowmen in the Labor Party that it was not a tactic that was received well. But that is an amendment in the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010 that we do support.

There are five general areas in this bill that we are discussing. The opposition has indicated through the shadow special minister of state, Senator Ronaldson, that we will support three of them. These are the schedule 3 amendments relating to the prepoll vote, the schedule 4 amendments relating to the processing of enrolments and the schedule 5 amendments relating to the nomination of candidates, again making the point that the Labor Party chose not to run candidates in by-elections in my seat, Higgins or Bradfield at the recent by-elections.

The electoral roll is one of the great things that we have in our democracy in this country. We should always ensure to the best of our ability that it is protected, that it is correct and that the data is as up to date as it possibly can be. Any bill that we debate in this place which changes the way the electoral roll works needs to be looked at and considered very carefully. We are very fortunate in this country that we have had very few examples of fraud relating to elections. There are always suggestions and views put that there has been some misuse of the roll or election procedures but we have not had a crisis as some other countries have had. We have a reliable system. The AEC needs to be commended as do the state electorate offices, in that they ensure that we do have election results which are not questionable given the large number of people who vote.

Following the last federal election I spoke with a representative of the US embassy who commented on how impressed he was with the ease of the transition from one government to another, how it happened without question and very effectively. Even though we did not like the result, it was never questioned because we have great faith in the roll and in the system that governs election campaigns. It is with that in mind that we do look very carefully at how the roll operates. As the member for Moreton identified, in the last parliament the former government amended the Commonwealth Electoral Act to ensure that that roll was given even greater protection than it had previously. This was to address what were not only perceived issues but in some cases real issues relating to potential fraud in relation to the electoral roll.

The first of those issues was the amendment relating to the close of roll. The government argues that this measure was designed to ensure that young people in particular did not have an opportunity to vote. By closing the roll on the day the election was called, it allegedly removed—as the member for Moreton said—magically all of these people’s right to vote. That argument is completely misleading. The amendment ensured that the AEC could not be flooded the week after the election was announced, making it impossible to verify and keep a check on new enrolments where there could have been questions about the legitimacy of those enrolments. The amendments very much were about ensuring that we had a very strong roll and very strong protections about who could and could not be enrolled.

It is a weak argument to say that people in the three years leading to a federal election, four to a state election, do not think about
and contemplate changing their address or enrolling. One of the great things that the AEC does is to consistently roll cleanse. It ensures that it keeps the role up to date and reminds people to enrol. We should make it easier to ensure that people can change their address. I think the use of electronic enrolment and so forth are a good idea remembering that there needs to be protection of the privacy elements of that.

But to say that you need a seven-day period at the start of an election campaign is weakening the protections around the electoral act and that is why we do not support these provisions. It does increase the opportunities for fraud and there have been circumstances in Australia where the electoral roll has been subject to fraud. We have had some very high profile cases where members of parliament have resigned because of it. The most recent was in Queensland when, in early 2000, that government was struck by allegations that people had been caught up in fake enrolments and so forth which related to Labor Party preselections involving fake enrolments using the electoral roll. It is very important that we ensure the electoral roll is protected. I noted with interest recently that the former MP who was caught up in that scandal and had to resign from parliament has been employed by the Rudd government on a $450,000-a-year salary.

The second amendment relates to the evidence of identity for provisional voters. The member for Moreton talked about the electoral roll in Afghanistan. The truth is that in Afghanistan you have to show ID when you vote. It is interesting that the member for Moreton, on one hand, argued that it is onerous for provisional voters to be required to show proof of identity after five days notice while, on the other hand, he also argued how great the electoral roll is in Afghanistan where they are required to show ID. It appears to be a conflicted statement for him to argue on one hand ID is good and on the other hand ID is bad. Truth be told, to give increased comfort about these provisional votes the last government moved the identification requirement, a reasonable requirement and hardly onerous when provisional voters have five days to make that decision. It is something that we still support and this is an area where we will not support the government’s moves. It will weaken the rules relating to proof of identity for provisional voters and it should be opposed. It makes it easier to enrol fraudulently and cast a fraudulent vote. We should prevent anything that does that, not encourage it. The member for Morton argues that it is not widespread. Sure, it might not be widespread in Australia, but we should not have loopholes which allow it to be used. We should never weaken the electoral roll to the point where people have the ability to question the veracity of the information or the veracity of votes. That is something we will argue very strongly against in this parliament.

We are arguing strongly against those two schedules of amendments relating to the close of the roll and identification of provisional voters. We do not trust this government to get it right—for so many of these policy issues we have seen them getting it wrong, such as for the insulation program. We think if they cannot manage an insulation program, how can they possibly manage to change the electoral roll and still ensure that it is being used in a fashion which is not fraudulent? Therefore, on those two areas in particular, as the shadow special minister for state articulated so very well, we will be opposing those moves. We think it weakens the roll which is a big mistake. As I said earlier, the roll is one of the things that we should be very proud of in our democracy. It is largely beyond dispute and that is a credit to the AEC and the system we operate. However, any changes which weaken that should be
opposed. That is why we are opposing them. We do not trust this government to get it right. In too many areas we have seen them get it wrong—in the NBN they are getting it wrong; they want to censor the internet and they will get that wrong; they want to change the electoral roll and they will get that wrong. We do not believe that they will get this right, and therefore on those two issues we will be opposing.

Mr DREYFUS (Isaacs) (10.57 am)—In this debate we have had a great deal of discussion from speakers opposite about electoral fraud. This is a debate about the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010. The only fraud that is really relevant to the debate on this bill is not the imagined fraud—the myth of electoral fraud—that the opposition continue to speak about, not the fig leaf of electoral fraud that the opposition relied on to introduce the measures that we are now removing as we are in office—the measures that they introduced when they amended the electoral act to reduce the right to vote, to reduce the enfranchisement of Australians, in particular to reduce the ability of young people to get on the roll and to stay on the roll—it is the fraud that is being perpetrated on the Australian people by those opposite. It was perpetrated by them while they were in government and it is the fraud of telling the Australian people that there is a massive amount of multiple voting, trickery or false enrolment going on with the Australian electoral roll.

There is a very good report by the Joint Standing Committee on Electoral Matters on the conduct of the 2007 federal election and it pricks the balloon of this allegation of fraud. It absolutely dispels the myth of multiple voting. In fact, there is a section in the report entitled ‘The myth of multiple voting’. It is a report from which the opposition members of the Joint Standing Committee on Electoral Matters dissented, but the committee report picks up and examines in excellent detail the various allegations of multiple voting that arose in the last election, in particular in the seat of McEwen because its election result went to the Court of Disputed Returns. There was a minute examination of the voting and any possible irregularities that might have occurred in that election. What the Joint Standing Committee on Electoral Matters was able to show was that the allegations of multiple voting in that election were entirely without substance.

To return to this theme of fraud, the fraud which is relevant to this legislation is the fraud perpetrated by the Liberal Party in defrauding about 100,000 Australians by closing the roll early, which is what occurred at the 2007 election as a result of the amendments to the Electoral Act which were imposed on the Australian people by the former government. The fraud which is relevant is the defrauding of thousands more provisional voters whose votes were taken away as a result of the provisions of the Electoral Act inserted by the former government, which required people who voted provisionally to produce identification within five days. Because of an inability to do that, thousands and thousands of people who had validly cast provisional votes had their votes taken away.

As other speakers, notably the member for Melbourne Ports, have explained to the House, there is ample evidence to suggest that the disenfranchisement which occurred as a result of the former government’s changes to the Electoral Act is entirely likely to have been responsible for the result in some four federal seats. It is possible, in other words, that in four federal seats the result would have been different if there had not been the extent of disenfranchisement that occurred at the last election. So the real fraud—the fraud relevant to this legislation—is the perpetuation of the straw man of
electoral fraud, the myth of multiple voting. Speaker after speaker on the other side of the
House has attempted to perpetuate that myth
and that fraud.

We see it in the dissenting report that ac-
companies the report of the Joint Standing
Committee on Electoral Matters. In the dis-
senting report, the opposition members of the
committee—and they need to be named, be-
cause they really should hang their heads in
shame for the propositions that they have put
forward here: the member for Cook, the
member for Goldstein as deputy chair, Sena-
tor Ronaldson, Senator Birmingham and the
member for Maranoa—have put forward
specious arguments as to the recommenda-
tion of the Joint Standing Committee on
Electoral Matters that the early roll-closing
provision should be repealed and replaced
with a new section that provides that the date
fixed for the close of rolls shall be seven
days after the date of the writ. What the op-
position members dissenting from this report
of the Joint Standing Committee on Electoral
Matters assert is that this proposes
’a significant threat to the integrity of the electoral
roll’.

We then have in the opposition’s dissent-
ing report a page of nonsensical propositions
to the effect that, if the roll is allowed to re-
main open for seven days after the election is
called—enabling all those people, who are
validly entitled to vote and who for one rea-
son or another have had their names removed
from the electoral roll and might not have
got around to putting their name back on, to
rush to the electoral office and make sure
that they will be able to cast the vote which
is their right as Australians—in some myste-
rious way it is a threat to the integrity of the
electoral system. We on this side of the
House, the government, know that that is a
false proposition and that the intent of the
Electoral Act should be, as it has been since
Federation, to make sure that the right to
vote, which is a valuable right, can be exer-
cised by all Australians who are eligible to
vote. Any suggestion that a perfectly practi-
cal provision such as this—that is, allowing a
period of seven days for people to get on the
roll after the election is called—is a threat to
the integrity of the electoral system is a non-
sense.

So it is with the other provision which this
legislation introduces, which is a repeal of
the requirement for provisional voters to
provide evidence of identity. Again, what
occurred as a result of the provision intro-
duced by the former government was that
thousands of voters who had cast provisional
votes had their votes taken away because of
this unnecessary requirement that they pro-
duce proof of identity. We need to make it
clear that the number of instances in the
whole of Australian political history of what
could be called electoral fraud—namely,
someone enrolling using a false identity or
the other possible example of electoral fraud,
a deliberate case of voting more than once—
which have actually been identified follow-
ing investigation and have resulted in a mat-
ter being sent to the Australian Federal Po-
lice or even have resulted in a letter of warn-
ing being sent to a voter is a mere handful. It
is a minuscule number of cases that have
been discovered, and I am talking across the
entire stretch of Australian political history.
When this is set in the context of the millions
upon millions of votes that are cast at every
Australian national election and the millions
of votes that are cast in most state elections,
one can see in its true context the supposed
problem that these harsh and disenfran-
chising measures introduced by the former gov-
ernment were said to be introduced to meet.
The true fraud—that is, the fraud of the Lib-
eral Party, those opposite—can indeed be
seen.

It was known before the last election, very
clearly, what the effect of these provisions
was going to be. It was known before the last
election, for example, that some 140,000
voters had had their names removed by the
Australian Electoral Commission in the six
months leading up to the November 2007
election because they had failed to notify the
Australian Electoral Commission of a change
of address or because they had used the
wrong form when they notified a change of
address. It was absolutely clear before the
last election, which is why we went to the
election with a commitment to restore integ-
rity and improve the enfranchisement of vot-
ers. It was absolutely clear that the real rea-
son was not some supposed attempt to elimi-
nate this imaginary fraud or imaginary mul-
tiple voting but rather to erode the inclusive-
ness of the electoral roll.

The removal of the grace period, which is
what it is correctly known as, and the intro-
duction of tougher evidentiary requirements
for enrolment are both directly designed to
ensure that people who should be able to
vote are not able to vote. We now find our-
selves in the position that some 1.4 million
eligible voters as at December 2009—this is
an estimate that the Australian Electoral
Commission provided in December last
year—are not on the electoral roll. About
one-third of those voters are aged 18 to 25.
People aged 18 to 25 either have never got
on the roll in the first place or, because they
have moved address—as we know, young
people tend to move more often than any
other part of the community—they, having
been on the roll, have slipped off the roll.
Labor wants all eligible Australians to vote.
Unlike those opposite, we treasure the right
to vote, and we will ensure that provisions
are introduced in the Electoral Act. It will be
not just these provisions but also other meas-
ures which are yet to come which will ensure
that there is true enfranchisement and an ex-
tension of the right to vote to all of those
who are eligible.

I know that in my electorate there was
great concern expressed to me by young
people, particularly those who are coming up
to their first election, about how they might
have in some way missed out. It was possible
to say, somewhat perversely, that the in-
creased harshness that the former govern-
ment introduced in relation to the keeping of
the roll was an excellent incentive providing
a spur for people to make absolutely sure
they were on the roll, because the instant the
election was called that was going to be the
end of the matter. It was still the case that in
my electorate very many young people, as
well as others who were eligible but on elec-
tion day found to their horror that they had
slipped off the roll, were unable to cast the
vote that they wished to cast. We are intent
on ensuring that the kind of outcome where
people who should be on the roll are unable
to vote is avoided at all times in the future.

There are three useful administrative effi-
ciency measures which are contained in this
bill in addition to the primary changes of
restoring the close of rolls period to seven
days and repealing the requirement of provi-
sional voters to provide evidence of identity.
Those efficiency measures are all acting on
other recommendations in the report of the
Joint Standing Committee on Electoral Mat-
ters into the conduct of the 2007 federal elec-
tion. They include: modernising enrolment
processes to enable electors to update their
enrolment details electronically, which is
from recommendation 9 of the committee’s
report; allowing flexibility in how and where
enrolment transactions are processed, which
is recommendation 42 of the committee’s
report; and, where possible, enabling the
counting of prepoll votes cast in the elector’s
home division as ordinary votes on election
night, which is recommendations 22 to 24. It
is very much to be hoped that those opposite
will support these measures when this bill
goes to the Senate, that those opposite will
stop with their charade of bleating about supposed—and actually imaginary—electoral fraud and that those opposite will see that their duty as members of this parliament is to put in place measures which extend the right to vote, which show that they value the right to vote, which ensure that every single Australian who is eligible to vote is able to do so.

I see that the member for Indi is in the House and, no doubt, about to continue with the perpetuation of the various myths that the former Special Minister of State, Mr Nairn, propagated before the last election. I think the Special Minister of State before him, Senator Abetz, also propagated them before the last election. They were to pretend, while actually intending to remove people’s right to vote and restrict the number of people on the electoral roll, that these measures might be warranted by some imagined multiple voting. We have heard over and over again a repetition that suggests falsely and fraudulently that there is some real problem. We see it, indeed, when the dissenting report addresses recommendation 2 of the joint standing committee, which states that there should be a repeal of the requirement for provisional voters to provide proof of identity. There is the repetition of the myth is that it is a removal of an important deterrent that acts to prevent citizens from failing to maintain their enrolment and to deter those who may seek to engage in multiple voting.

I repeat—and I hope the member for Indi is listening and will not be repeating the nonsense that other speakers on the other side have attempted—that the committee explained in great detail under the heading ‘The multiple voting myth’ why it was that allegations such as, for example, that made by the member for McEwen, in which there were eight cases of apparent multiple voting, were false. The Australian Electoral Commission investigated the allegations of the eight cases of apparent multiple voting, and the end result was that, as the AEC had already said by October 2008, the eight cases of apparent multiple voting in the division of McEwen were almost all the result of confusion on the part of electors. The AEC told a Senate estimates committee this:

In relation to McEwen, in the court case eight dual voters were mentioned. The court case they are referring to involved the Court of Disputed Returns. The AEC continued:

Those eight were referred to the Australian electoral officer. I have reviewed them, and we have one of those where there is some evidence to support a matter, but it is likely that it will not be sent to the AFP and the person will be issued with a warning letter. The other matters were either people who were confused or people who were aged and their families et cetera had assisted them in voting.

There was then a direct investigation by the AEC into the case of a particular constituent, the Reverend Ivor Jones, who had been part of the claims made by the member for McEwen, and the AEC said:

AEC records indicate that no electors in the division of McEwen voted more than twice. The AEC can confirm that a letter was sent to Reverend Jones indicating that according to AEC records, it appeared he may have voted twice, and seeking his clarification on the matter. Reverend Jones’ response made it clear that he had voted only once, through an early declaration vote.

They go on to explain that the apparent case of multiple voting concerning the Reverend Ivor Jones was in fact the result of an error by a polling official who had ruled out the wrong name when he was marking the roll to record a vote. I repeat that, as is demonstrated in ample and lengthy terms in the report of the Joint Standing Committee on Electoral Matters—and there are some excellent tables looking at the 1998, 2001, 2004 and 2007 elections—the cases of multiple
voting in recent Australian political history show that the apparent multiple voting, admissions of multiple voting and referrals to the AFP are extremely small, and that there has been no clear trend in any way. The only thing that has occurred has been a continuing increase in problems due to confusion, poor comprehension and age. So I commend this legislation to the House and trust that, in the spirit of improving the enfranchisement—

(Time expired)

Mrs MIRABELLA (Indi) (11.17 am)—I rise to speak on the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010. It is a bill that raises issues that are at the core of our political system and our democracy. Australia is one of the greatest democracies in the world. While just a fledgling nation, we led the world in giving women the right to vote and be represented in parliament. Our democracy and our system of government on the whole works extremely well; although, those viewing proceedings over the last few weeks may wonder what has happened to the concept of ministerial responsibility under the Westminster system. I can understand why they would be wondering what has happened to that wonderful principle.

Fundamentally, we are one of the six longest serving democracies in the world. I, and many other Australians right across this nation, fought, just over 10 years ago, to retain the wonderful system of government that we have: constitutional monarchy. We fought well, and the Australian people unanimously supported the current constitutional arrangements that we have. That does not mean that politicians cannot muck up the system we have. It does not mean that political parties cannot have corrupt officials that try and interfere with voting and ballot papers. You cannot quarantine our political system from those very severe human failings. The foundation of our democracy rests on the operation of an electoral system that is fair, transparent and administered with a high level of integrity. The bill before the House today makes a number of administrative changes that affect the operation of the electoral system. Some of the changes proposed are fine and arguably will improve the system; however, some of the changes that the Labor government is hoping to make with this bill are, in my view, severely retrograde steps that will undermine the integrity of the electoral system.

At the outset, I want to say that it is right and fitting that any government remains vigilant and makes changes that are necessary to improve the integrity of the system. But, as we know from much government legislation, change is not necessarily always change for the better or change to improve a particular scheme or legislation. The Howard government was very vigilant about trying to improve the electoral system. We passed a number of bills to strengthen and protect it. At the core of the electoral system is the joint Commonwealth-state electoral roll, which is used for the conduct of all elections at local, state and federal levels. For as long as there have been political systems, there have been jokes and stories and legends about dead people voting—about cats voting?

Dr Southcott—‘Curacao Fischer Catt’.

Mrs MIRABELLA—‘Curacao Fischer Catt’ and other dodgy practices. The fact is that, until very recently, the integrity of the roll has been based largely on trust, and it still is to a certain degree. It was only under the Howard government in 1997 that the AEC commenced a process of continuous roll update, which includes mailing and doorknocking campaigns to help ensure that the roll is as accurate as possible.

Schedule 1 of this bill seeks to change the deadline for the closure of rolls for an election, once writs are issued. The Howard gov-
ernment, in the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005, quite rightly reduced the period from seven days to 8 pm on the third working day after the writs are issued. The fact is that the seven-day period created an absolute influx of new enrolments and changes to enrolments, the sheer number of which made it near impossible for any verification to occur. The report of the Joint Standing Committee on Electoral Matters in 2002 stated:

Whilst acknowledging the efforts made by the AEC in attempting to ensure that the electoral roll is updated with integrity during the close of rolls period, the Committee considers that the volume of transactions which takes place during that period limits the AEC’s ability to conduct the thorough and appropriate checks required to ensure that integrity.

While there is no doubt that the calling of an election is often a catalyst for people to enrol or update their enrolment details, we have to weigh this against the possibility of a proportion of the enrolments that come in during this period being either fraudulent or invalid.

There is a significant problem with the Labor Party’s bleating about potential voters being disenfranchised. In 2004, under Labor’s seven-day grace period, there were 169,000 people who missed out on the enrolment deadline. In 2007, under the coalition’s three-day grace period, 100,000 people missed out—that is, 40 per cent fewer people missed out. And they are not the estimates from the coalition; these are estimates of the AEC. So the whole argument about voters being disenfranchised is false and factually incorrect.

Those of us who have been involved in politics for some time know that individual seats—and, indeed, even governments—can be decided by the narrowest of margins. The 1996 Mundingburra by-election in the state of Queensland is a case in point. The 1995 state election had seen the Goss government returned with a majority of just one seat. The result of the 1995 state election in the seat of Mundingburra, where the incumbent Labor member had been declared the victor with just 16 votes, was disputed by the Liberal Party. When the Court of Disputed Returns declared the result of the Mundingburra seat void and ordered a by-election, it was absolutely clear how critical the integrity of the rolls and the voting system were. Ultimately, the seat was won by the Liberal candidate and, as a consequence, the state Labor government lost power and the coalition took office.

So let us not be dismissive or glib about the absolute importance of ensuring the integrity of the rolls. A handful of votes do matter. They have mattered in the past and they will matter in the future. Not so long ago we saw that happen in McEwen, and I am sure my Victorian colleague, the member for McEwen, who has experienced some very close results, can attest to how crucial it is that any potential for fraud is negated and how critical it is that the potential for situations such as we have seen in the past, where we have seen fraudulent votes having a huge impact on election results, is eliminated.

The fact is that there have been documented incidents of electoral fraud in the past. To give some substance to the argument, we need to review some of these past examples, so that people out there listening to this debate and people who read the Hansard can understand what drives the passion in many of us to have integrity in the roll. Once again, Queensland is one of those states that provides us with myriad interesting political examples. This time we can turn to North Queensland where, in 2000, the state Labor candidate for Thuringowa, a former Townsville city councillor, pleaded guilty to 24 counts of forging Common-
wealth electoral enrolment forms. She was sentenced to three years imprisonment.

Because ALP ballots for preselection are linked to entries on the joint state/Commonwealth electoral roll, there were all sorts implications about how the widely-known practice of ‘branch-stacking’ impinged on the integrity of the electoral roll. In fact, if I recall correctly, Labor’s golden boy, Mike Kaiser—who was recently handed the $450,000 a year plum job as head of the Rudd government’s National Broadband Network—was forced to resign as a state member of parliament over the findings of the Shepherdson inquiry, which found he had been involved in vote rigging in the 1980s. And how does the Labor Party respond to that? They say, ‘Good on ya, mate; here, have a $450,000 job.’

Dr Southcott—He took one for the team.

Mrs MIRABELLA—Yes, they said: ‘You’ve taken one for the team; here is your reward.’ It is perhaps an indication of how seriously the Labor Party regard the offence of electoral fraud today—not in the 1980s, not in the last decade but today—that, following his resignation, Mr Kaiser—a former state secretary—went on to become chief of staff to not one but two state Labor premiers—

The DEPUTY SPEAKER (Mr KJ Thomson)—The member for Indi will return to the provisions of the bill.

Mrs MIRABELLA—The provisions of the bill regard the integrity of the rolls and the sort of behaviour that—

The DEPUTY SPEAKER—And the member for Indi is at liberty to speak to those provisions.

Mrs MIRABELLA—The member is speaking to those provisions and to the essential issue of integrity of the rolls. The Deputy Speaker, in his role as the member for Wills, is, I am sure, aware of the importance of retaining integrity of the rolls, particularly in his electorate, where there are some very interesting goings-on in Labor Party ethnic branches as well.

It is becoming apparent that the Minister for Broadband, Communications and the Digital Economy is a very generous broker of deals for his good mates.

The DEPUTY SPEAKER—Order! I have asked the member for Indi to return to the provisions of the bill. If the member for Indi wishes to defy the chair, I will sit her down and call the next speaker.

Mrs MIRABELLA—Going back directly to the issue of integrity of the rolls—as encompassed in this bill and not as reflected in other states and past practices—it is common sense to minimise the potential for false enrolments. There is now in place an ongoing campaign to ensure the roll is updated and there are also active education campaigns to encourage people to enrol to vote as soon as they are eligible and to update their voting details when moving house. This should be an ongoing process—not one that people do just when election time comes and they have to vote. Allowing a massive influx of enrolment additions and alterations to the roll during the first week of an election campaign, severely affects the AEC’s ability to ensure the integrity of the roll. I will therefore be joining my colleagues in opposing the measure in schedule 1 of this bill.

For similar reasons, I also strongly oppose the measure in schedule 2 of the bill, which repeals the requirement for provisional voters to provide proof of ID. Once again, this was a strengthening provision put in place by the Howard government and I am bewildered why the Rudd Labor government would seek
to wind back this integrity measure. You need to show proof of ID to join a video library, you need to show proof of ID to hire a bike to ride around Lake Burley Griffin just outside these doors and surely it is not too much to ask for proof of ID when casting a provisional vote. We are talking about a provisional vote which is cast when someone’s name cannot be found on the electoral roll or when they are already marked as having voted. Surely, it is not too much to ask in a case like this, where there is already some dispute as to eligibility to vote, that the person applying provides some basic identification. The Parliamentary Secretary to the Prime Minister claimed in his second reading speech:

The AEC estimates that over 27,000 provisional votes were excluded at the 2007 federal election due to the operation of the existing evidence of identity provisions.

I say that gives cause to look more closely at the problems that have led to these people needing to declare a provisional vote. I am also somewhat surprised that in this day and age people are either unable or unwilling to provide proof of identity. I do not think the answer should be to relax integrity provisions and I therefore oppose this measure.

The other measures in this bill are worthy of support and will arguably improve the electoral system. The treatment of pre-poll votes as ordinary while not in any way diminishing the process of pre-polling—which is becoming increasingly more popular with every election—will mean that these votes can be counted on the day of the election and will allow for a more accurate assessment of voting results on polling night. The amendments relating to the processing of enrolments will not impact on the integrity of the count or the roll and I support them. The restriction on the number of candidates a party can endorse is also a commonsense provision that will arguably reduce confusion on polling day; which we have seen occur in past elections when there have been numerous candidates for certain seats.

In summary, it is unfortunate that the Labor government has coupled a few measures that may slightly improve the electoral system with two that clearly undermine and diminish the integrity of it, but it is no surprise when we see the record of so many Labor luminaries when it comes to the integrity of voting, the integrity of ballots and the integrity of the roll. For that reason, this bill must to be opposed strongly by anyone who is passionate about preserving our democratic system of government, preserving the voice of the people and preserving the integrity of an electoral system that underpins our wonderful democracy.

Mr NEUMANN (Blair) (11.33 am)—I speak in support of the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010. Members on both sides of the chamber have been given a fair degree of latitude in the matters that they have raised today.

The DEPUTY SPEAKER (Hon. Peter Slipper)—I hope the honourable member for Blair is not reflecting on previous occupants of the chair?

Mr NEUMANN—My observation is reflecting on what has been said this morning. I will address the bill in detail, but the previous speaker, the member for Indi, and particularly the member for North Sydney, made some terrible, irrelevant and quite scurrilous allegations concerning the Treasurer which were not really directed at this bill. I come from Queensland, as you do, Mr Deputy Speaker Slipper, and in that state you will see a long history on the conservative side of politics of the maladministration of electoral laws and the malapportionment of electoral boundaries—what became known as Joh Bjelke-Peterson’s gerrymander. There was
the time when the National Party found itself in a majority position in government with about 18 per cent of the primary vote. We heard allegations during the days of the Fitzgerald inquiry of dead people voting in certain coalition held electorates in Brisbane.

No side of politics is virginal in this matter and no side of politics is unsullied. The Australian people expect better of us. To see crocodile tears from those opposite on this matter while making serious and unnecessary allegations against the probity and the integrity of the Treasurer is a disgrace. Today the member for Indi cast terrible aspersions upon the integrity of previous Labor administrations in Queensland and upon certain persons as well. This is not what the Australian public expects of the people who sit on these honoured benches. They expect us to carry out our jobs and to give the Australian Electoral Commission the necessary resources to make sure that electoral contests in this country are done with fairness, integrity and democratically.

It is simply wrong for those opposite to raise these types of allegations in a bill before this chamber. You can disagree with us, vote accordingly and say what you have to say, but do not go so far and do not make such allegations. The Australian public thinks that when we do these sorts of things in this chamber we are not doing our duty and we are failing them. That is what the member for Indi and particularly the member for North Sydney have done today. They should not have done what they did, and I believe the Australian public will judge them harshly for it.

I lived in the state of Queensland until I was 28 years of age before we saw a change of government, except for the National Party winning in their own right in 1983. Many times during that period we saw electoral contests where the boundaries were unfair and the electoral system was stacked against one side. We should never go back to those days in Queensland, regardless of which side of politics sits on the Treasury bench. Down here as well, I believe that these laws which we are seeking to enact today will assist the integrity and the operational aspects of the democratic process which we hold dear.

The Australian Electoral Commission is widely respected by both sides of the House and by the Australian public. When we see events that occur overseas in Third World countries, and even our great ally the United States, during contests like the one in Florida in the Bush-Gore years, we wonder how this could happen and we say, ‘Thank goodness it would not happen in Australia.’ The provisions in this bill will make our system better. I am pleased that those opposite will support some of them. I cannot understand why they will not support the others, except for base political motives.

Briefly, the changes deal with the recommendations in the report of the Joint Committee on Electoral Matters. The committee’s report on the 2007 federal election and other matters contained 53 recommendations, 45 of which have been unanimously supported. The recommendations go a long way towards examining what really happened in 2007 and how we can improve the electoral system in this country.

There has been a problem in this country with respect to our population and the gap with respect to electoral enrolment. In the history of this nation we have not always had a situation where everyone had a right to vote, such as 18-year-olds and women. There was a property franchise at one stage in the 19th century, and the states all in their own way passed legislation, obviously with support of the UK government, to progressively enfranchise the Australian population. Across our country today there is a strong commit-
ment to democracy, and I think that the schedules in this legislation will improve it. But there has been a growing concern in the Australian public, and certainly the commentary and political blogs online also refer to this, that we have a situation where about 1.4 million eligible voters are not on the electoral roll. Many of them are young people. At the many school graduations, prefect inductions and citizenship ceremonies that I go to, I am very pleased to see the Australian Electoral Commission present. I am very pleased with the attitude of school principals and school teachers with respect to citizenship encouragement and with political activism and participation also being encouraged in our schools. But sadly, some people do not take the necessary steps to enrol. Declining enrolments, particularly in areas where there have been transient populations, are a difficulty. If you also look at the populations in states like South Australia, where the population is fairly static, there is a much higher enrolment per population than in fast-growing areas like Queensland and Western Australia.

The AEC needs to be resourced better and to be given encouragement and assistance to increase and improve the enrolment situation across this country. We have got to do things and take steps to remove obstacles to enrolment, and I think the amendments in this bill go a long way towards that. Schedule 1 of the bill deals with the closing of the rolls for an election. The AEC has said on numerous occasions that about one in five Australians change their residence very electoral cycle. We are very socially mobile people. Unfortunately, there is enrolment slippage when that occurs. In areas that I have the honour and privilege of representing, there are large housing estates, and the electorate of Blair in south-east Queensland covers most of Ipswich and a lot of the West Moreton area. Where there are new housing estates, you look at the census collection districts and you wonder why there are not more people on the electoral roll. This will improve if we resource and give the AEC more assistance and if we allow people a greater period of time, a period of grace in which to enrol and to lengthen the period of time for the close of the rolls.

I think that what happens then is that the people who are representing electorates in this House, across the 150 constituencies, become better representatives and there is a more democratic outcome if people who live in an area can vote in an area. If you have moved, say, from Brisbane to Ipswich, as so many people have, or if you have moved from the southern states to the rural areas outside, there are a lot of people who actually do not take up enrolment straightaway and vote in places like New South Wales. Certainly Queensland has a large percentage of people who come from New South Wales every year.

I think that giving voters sufficient time to enrol to vote makes our system more democratic and I cannot see why we cannot resource the AEC appropriately, efficiently and effectively to process the increased number of people with a longer period of grace. As I see it, the AEC has not been complaining that it is not fully and appropriately funded to fulfil its obligations. Extending the period of enrolment means that more transient people can get on the roll, it improves the democratic process and, I think, it is a better outcome for all concerned. It also encourages people who have fallen off through electoral enrolment slippage to get back on, but it also means that people who have not enrolled in the first place can get on the roll. I think that is a good outcome and a democratic response by the Rudd Labor government.

The second issue that the opposition takes umbrage at is that of evidence of identity and
provisional votes. We have heard some quite amazing statements from those opposite concerning provisional voting, as if somehow there has been a flurry of fraudulent and false attempts to vote at federal elections. The member for Isaacs outlined this in detail. He put it very well and I have no reason to repeat what he had to say, which is that it is simply not true.

There are a number of ways people vote, and we have seen an increase in other than ordinary votes in this country over the last few years. In the electorate of Blair in 2004 there were 483 provisional votes, 2,577 pre-poll votes, 5,330 absentee votes and 5,201 postal votes. In 2007 the informal vote in Blair—not too dissimilar to the average across the country—was 3.87 per cent. There were 3,053 pre-poll votes, 99 provisional votes, 5,114 postal votes and 4,248 absentee votes.

I want to focus on the provisional votes, because they are what the second schedule in the bill deals with. Provisional votes are the votes of people who go to vote in circumstances where, for example, they cannot be found on the roll and they have to prove their identity. The AEC estimates that over 27,000 provisional votes were excluded in the 2007 federal election due to the operation of existing evidence of identity provisions. The Howard government effectively, through the onerous provisions that the member for Isaacs outlined in his speech earlier, made it more difficult for people to cast their vote. Look at the electorate of Blair, for example. There were 483 provisional votes in 2004 and 99 in 2007. This is about the coalition being concerned at the high level of Labor voting by people engaged in provisional voting.

I am indebted to Peter Brent from Mumble Politics, a very well known blog that many in this House look at on a regular basis, for really nailing this in an article he wrote on 11 January 2008. This is very important for those people opposite who say they are pure and unsullied and that there were no base motives for changing the identity provisions to make it harder for people to vote on a provisional basis. They should just listen to these facts about the outcome. According to Mr Brent, the provisional vote in 2004 in this country was 81,129. It was down in 2007 to 21,909—a drop of 73 per cent. We are talking tens of thousands of people disenfranchised as a result of the changes the Howard government brought in.

Those people opposite think that people who are, say, challenged or poor, or are disadvantaged in some way, or are itinerant should be punished—well, the Howard government were all in favour of doing that. I will tell you why. In 2004—remembering that the changes were brought in by John Howard before the 2007 election—this is how the voting went: absentee vote, two-party preferred Labor, 47.3 per cent; pre-poll Labor, 45.3 per cent; postal Labor, 41.7 per cent; total declared vote, 45.3 per cent Labor. Interestingly enough, in 2004, prior to the Howard government’s so-called reforms, the two-party preferred provisional vote for Labor, in an election in which we got thrashed—as a candidate in Blair I got absolutely smashed—was 53.5 per cent. Making it more difficult for those people who vote provisionally has an electoral consequence for the coalition. That is why they did it.

Let’s look at the figures for 2007: absentee vote, two-party preferred Labor, 53.4 per cent; pre-poll Labor, 51.5 per cent; postal Labor, 46.8 per cent; total declared vote, 50.8 per cent Labor. Guess what the provisional vote was? With a reduction from 81,129 votes to 21,909 votes, the two-party preferred provisional vote for Labor was 60.9 per cent. The facts are very clear. The purpose of the Howard government provision to
make it more difficult for people to vote provisionally is simply about disenfranchising potential voters who generally might vote Labor. That is what it is about, and that is why they did it. And that is why the Electoral Commission says so many people did not end up voting.

The other changes, I am very pleased to say, are supported by the coalition. I am happy that they are because they are really administrative efficiency measures. They are about ensuring that voters can update their enrolment electronically, which will modernise, in the 21st century, our electoral law. They bring to our electoral system a 21st-century response.

The other change solves a problem that was clear in the Bradfield by-election. At that by-election, the Christian Democratic Party should not have done what they did—putting up so many candidates, resulting in a high informal vote. If we can limit political parties to endorsing one candidate in each electorate, that will prevent a flood of candidates and will stop what I think was, I think, an intention to confuse the voters in that by-election.

I think the changes here fulfil what the Rudd government said it would do. They fulfil an election commitment to restore the closure of rolls period to seven days after the issue of the writ for an election. The previous government, in line with a longstanding policy, moved to protect the integrity of the roll and prevent fraudulent enrolments by reducing the time period between the calling of an election and the closure of the rolls. I would also like to note that this policy was reaffirmed in the coalition senators’ minority report in the Joint Standing Committee on Electoral Matters June 2009 Report on the conduct of the 2007 federal election and matters related thereto. The closure of the rolls seven days after the issue of a writ is a significant threat to the integrity of the electoral roll and can have a major influence on the result of elections, particularly in marginal seats—which may be why the Labor government is proposing the legislation. However, a return to the previous system of seven days will discourage citizens from making or maintaining their enrolment during the ordinary course of the year because they will have the opportunity to wait until the election is called. I know that it is important that Australian citizens take very seriously the currency of their enrolment. Schedule 1 will also increase the opportunity for selective fraudulent enrolment.

Ms MARINO (Forrest) (11.53 am)—As the member for Forrest, I believe that one of my very core responsibilities as a federal member of parliament is to protect the democratic rights of Australians, including those in my electorate, which is why I rise to speak on the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010. This legislation, which amends the Commonwealth Electoral Act 1918 and the Referendum (Machinery Provisions) Act 1984, contains five schedules. As we have heard, the coalition is supportive of schedules 3, 4 and 5. However, as has also been expressed, we do have very serious concerns with schedules 1 and 2—very serious problems, in fact.

Schedule 1 of this legislation provides amendments which will restore the closure of rolls period to seven days after the issue of the writ for an election. The previous government, in line with a longstanding policy, moved to protect the integrity of the roll and prevent fraudulent enrolments by reducing the time period between the calling of an election and the closure of the rolls. I would also like to note that this policy was reaffirmed in the coalition senators’ minority report in the Joint Standing Committee on Electoral Matters June 2009 Report on the conduct of the 2007 federal election and matters related thereto. The closure of the rolls seven days after the issue of a writ is a significant threat to the integrity of the electoral roll and can have a major influence on the result of elections, particularly in marginal seats—which may be why the Labor government is proposing the legislation. However, a return to the previous system of seven days will discourage citizens from making or maintaining their enrolment during the ordinary course of the year because they will have the opportunity to wait until the election is called. I know that it is important that Australian citizens take very seriously the currency of their enrolment. Schedule 1 will also increase the opportunity for selective fraudulent enrolment.
The other schedule that my fellow colleagues and I oppose is schedule 2, which repeals the requirement for provisional voters to provide evidence of identity before their votes are admitted to scrutiny. People impersonating other voters can be a serious issue which can and will have a direct impact on the end result of an election. I should think that, in this parliament, our focus on this issue should be about a fair process which the citizens of Australia can and should rely on as an accurate representation of their voting intention. This is at the very heart of a truly democratic system and something which, in Australia, we should jealously guard. The will of the people is paramount and the will of the people must prevail in a transparent process, not that of those seeking to manipulate the results in any way.

Requiring that people who claim a provisional vote at the election to produce evidence of their true identity and their enrolled address, either on polling day or in the week following polling day, is surely a fundamental part of the integrity and transparency of our Australian democratic process, and is critical in reducing that form of fraudulent activity. The coalition opposes any proposal to weaken the rules concerning proof of identity for provisional votes. Such a weakening would certainly not encourage Australian citizens to maintain their active and accurate enrolment status, something which is such a right and a privilege in Australia—you only have to travel to know that. We cannot afford to erode that right and that privilege. Accurate enrolment status is a fundamental underpinning of the democratic process.

People who live at a location for 21 days are, by law, required to enrol at that address and, if they do not, they are literally breaking the law. Effectively, the changes proposed by the Labor government mean that there will be no consequence for breaching the Electoral Act in this way. Furthermore, there are benefits for individuals who maintain correct enrolments, and these are basically reduced to a zero value—you are not rewarded because you have taken responsibility, the responsibility of your vote as an Australian citizen. On the other side, there is no disincentive for people who fail to enrol correctly and that undermines the AEC Continuous Roll Update program.

These two schedules, if passed, would open the electoral process to potential rorting and undermine the confidence of the Australian people in the transparency and integrity of our system—that very process that we, in this House in federal parliament, are charged with protecting. The right to our democracy is our absolute fundamental right and the right of every Australian. We do not want to see anything that erodes that through election results. One of my main concerns, and that of Australians who want to see an accurate reflection of their vote and who take very seriously their rights and responsibilities to maintain their accurate presence and location on the electoral roll, is the impact these schedules could have on marginal seats where the results can come down to a mere handful of votes. Again, we want to see the will of the people reflected in the outcome.

In these cases an increase in the number of fraudulent votes, due to the closing of the roll and/or identity evidence changes, could well mean an inaccurate result, and the will—the very will—and the right of the Australian people would not be reflected as a result. It would place into serious question the Australian concept of the integrity of our democratic process. That is the last thing anyone in this place should want. This is a very serious issue that would not only deprive the rightful winner of the seat but also deprive the voters in the electorate, who would not necessarily see their voting intention reflected in the result. As I said earlier, I
believe that Australia’s fundamental democratic principles have been established to ensure that the very will of the Australian people is reflected in the results, irrespective of who is elected. That is a fundamental right of the Australian people. They elect who they want to govern the country, who will govern this country and who will be the various individual representatives in their respective electorates. It needs to be delivered with integrity, with transparency, without apprehension, without intimidation and without unrest in any way shape or form following a federal election. That is what we need to guard in this country. If there is a change of government in this country, there is a smooth transition—and it happens. We need to guard and protect this in a very direct way.

The coalition is supportive of schedules 3 to 5. Schedule 3 will enable a prepoll vote to be cast in an elector’s home division and counted as an ordinary vote wherever practicable. It proposes these voters as ordinary voters. Currently, there is a significant administrative burden on the AEC for processing prepoll votes cast within the elector’s own division. The net effect of this proposal is that there will not be any consequences, either for the integrity of the roll or for polling day practices. An additional benefit is that prepoll votes will be able to be counted on the night, leading to an earlier and more accurate result of the vote. This is particularly useful given the significant percentage of the total votes made up by prepoll levels. As mentioned earlier, this is useful to the outcomes in marginal electorates.

Schedule 4 is an administrative amendment that will allow the AEC to transfer workload relating to the processing of enrolments between different divisional returning officers. This amendment will see stronger efficiencies by the divisional returning officers because they will be able to distribute the work to other officers during particularly high levels of demand or during staff sickness or leave requirement periods. It will also allow people who are already on the roll to update their details electronically. Schedule 5 aims to restrict the number of candidates that can be endorsed by a registered political party in each division. The amendments in this legislation will mean that a registered officer will only be able to nominate one candidate as an endorsed candidate for a single division in any state or territory. We can certainly see the benefits of that in this schedule.

In conclusion, as highlighted earlier, the coalition recognises the importance of protecting the integrity of the electoral system and is strongly opposed to any measures that could increase the rorting of any of these processes. The member for Goldstein highlighted the inaccuracies in specific Commonwealth data that could be replicated through the electoral roll. Given this, the coalition is supportive of schedules 3, 4 and 5. However, it opposes schedules 1 and 2 on all points, as they will not only reduce the integrity of the electoral roll but also could impact on the final results of elections and not reflect the will of the Australian people in those electorates.

Mr SHORTEN (Maribyrnong—Parliamentary Secretary for Disabilities and Children’s Services and Parliamentary Secretary for Victorian Bushfire Reconstruction) (12.04 pm)—It gives me a great deal of pleasure to rise and support the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010. We have been hearing a lot lately from some quarters about the importance of governments keeping their election promises. I am pleased to say that this bill represents the fulfilment of commitments made by Labor at the 2007 election and, indeed, well before the election. We have said that these amendments actually go towards some of the most important debates
that this nation can have about the quality and direction of politics. I believe the electoral roll is perhaps one of the most important books in Australia. It is an ever-changing, ever-updating embodiment of our democracy. It is the practical guarantee of a theoretical right to a free vote, the right to which there have been disputes and arguments and for which people have marched, fought and endured all sorts of struggles to achieve.

Our right to vote is one that thousands of new immigrants and refugees who have come to this country have clutched tightly, scarcely able to believe that they can cast a vote without fear of violence or reprisals, without fear of a knock on the door in the middle of the night. The right to a free vote is, in fact, one of our oldest rights in the history of our great country and it is part of the gift-wrapped bundle that today’s citizens have presented to them. I believe it sits along with habeas corpus, trial by jury, freedom of expression and the right to join a union, as part of Australia’s compact of rights with its citizens. The sanctity of the electoral roll is safeguarded by those guardians of political neutrality at the Australian Electoral Commission. I believe the importance of our electoral roll is often taken for granted by those of us who have been lucky enough to have been born in this country and to have spent our lives in a stable and functioning democracy.

In 1903, two years after Federation, the Australian Electoral Commission prepared the first nationwide electoral roll with two million people, estimated to have been at 96 per cent of the adult population of Australia at that time. It was the most comprehensive enrolment of any nation up to that time for the purposes of democracy. Along with the franchise for women and the secret ballot, it is one of the ways in which Australia has led the world in the development of democracy. It set a benchmark that has been maintained by the good work of the Australian Electoral Commission ever since. Indeed, in 2005, 96.3 per cent of people eligible to vote were enrolled and enrolled in their correct division.

I am sad to say that, despite the venerable, noble and precious history of the electoral roll, its integrity was the subject of a campaign of sniping and undermining by our predecessors, the Howard government. Vague allegations of rorts and voter fraud were used to justify measures that were supposedly aimed at tightening the roll but were really attempts to disenfranchise voters. Most notable among these decisions was to end the traditional practice of closing the rolls seven days after the calling of an election and to replace this with a roll that closed at 8 pm on the day the election is called—never mind the fact that up to 100,000 people enrol or upgrade their addresses in those seven days, never mind that the Howard government change would be enough to deprive nearly 100,000 people of their votes and never mind that the Liberal government of the day forgot that in 1983 the Liberal Party, with eminent representatives such as John Carrick, proposed that there should be this seven-day grace period after the calling of an election. The very idea that the Howard government overturned had been in part born through Liberal Party concerns in 1983 that closing the roll on the day the election was called was some sort of secret socialist plot where the Labor Party would have been campaigning to sign people up to the electoral roll and then, when it believed that it had sufficient numbers, the election would be called and the rolls would be closed.

In fact, it was the Liberal Party in 1983 who proposed and supported a seven-day extension; but, unfortunately, as we know, the later years of the Howard government included a Liberal Party which bore little
resemblance to some of its more principled predecessors. It was a measure which was pushed by the Howard government as part of an ideological determination to remove from the roll all those they felt might be inclined to vote against them. This measure we are seeking to change was a form of practical discrimination against young people and against tenants who do not have the security of a mortgage but need to move from time to time. Often these people are amongst the poorest and most vulnerable in our society. They are often Indigenous Australians, people with disabilities and people suffering from mental illness.

It was a tawdry, transparent attempt to limit the participation of Australians in the national conversation which is our democracy. We thought it smelled at the time and we made an election promise to change it back. I know it smelled because here in the chamber is the member for Melbourne Ports, who was the canary in the coalmine—the smeller of Liberal trickery who made this point even then. But now I am pleased to say to him that, through this bill, we are keeping the promise.

A second change made by this bill is to remove the restrictions on casting a provisional vote, which also stripped away the right of Australians to have their vote counted. Provisional votes are cast by those who turn up to a polling place only to discover that they are not on the roll. Under the Howard government, they were required to provide identification at the polling booth or within five days of the election. It is estimated that this requirement, sprung on people who honestly believed that they had placed themselves on the roll, denied 30,000 people the chance to cast a valid vote. The opposition claims made by Senator Eric Abetz and others that the electoral roll is compromised and that it was riddled with fake enrolments or inaccuracies have never been backed up by evidence. The mythical bogeyman of electoral fraud and false enrolments on the federal roll was whispered by those opposite but, like the Loch Ness monster or the abominable snowman, it was much easier to talk about than to catch.

A review in 2002 by the Australian National Audit Office found over 96 per cent accuracy, which rose to over 99 per cent when matching the roll against Medicare data. The Joint Standing Committee on Electoral Matters conducted a thorough investigation into the integrity of the electoral roll in 2001. It found only 71 cases of fraud between 1990 and 2001, a period which included no less than five federal elections and a referendum. The Electoral Commission noted that these false enrolments were not deliberate attempts to corrupt or unduly influence electoral results.

We have a strong and honest system in this country. We are not bedevilled by the parade of hanging chads, spoiled ballots and unreliable electronic machines that turned the 2000 US presidential election into a farce. Our simpler and modest system—of pencils and paper and curtained booths in school halls, the generally peaceful milling of candidates and supporters around parent sausage sizzles in school playgrounds and the counting by dedicated volunteers recruited by the AEC—delivers fair result after fair result. To try to pretend that electoral fraud is a persistent problem in this country is a slur on both the electorate and the Australian Electoral Commission. One tightening of the rules that will be made by this bill is an end to the practice of allowing the returning officer of a political party to nominate more than one candidate for a House of Representatives division. In the Bradfield by-election held recently, nine different candidates were nominated by the registered officer of the Christian Democratic (Fred Nile Group) out of a total of 22 candidates on the
ballot paper. I believe instances like this undermine the quality of our system and provide, either deliberately or inadvertently, confusion for voters. This bill includes the common-sense provision that the registered officer of a registered political party is able to nominate only one candidate as an endorsed candidate for any single division in any state or territory.

Australia is one of the oldest members of the global family of democracies. We have a system of compulsory voting—or, to be precise, compulsory attendance at the polling booth—which does seem odd to some visitors to our country. But I suggest that it is as uniquely and importantly Australian as our coat of arms. It is a way of ensuring that every government elected can rightly claim the support of the majority of the population. This is unlike the great United States of America, where despite its many, many strengths Congress representatives or senators can be elected by less than 50 per cent of the adult population. I believe the drift away from people voting in elections can only be a negative in any democracy.

Democratic societies create responsibilities as well as rights. I believe one of those responsibilities is participation in elections. But this can only be done with that most important book that I referred to before—an accurate electoral roll—and a process that does not place needless hurdles in the way of those wishing to play their part in the democratic process. It is a government’s duty to preserve the right to vote by making the practice of voting as easy as possible. This bill aims to do that and to remove unnecessary obstacles in the way of people exercising their responsibilities to vote.

The constant evolution of our democracy in both the United Kingdom and Australia has been one of the continual widenings of the franchise. Laws which limited voting to the nobility—that is, those considered to have the right blood and background to run the country—have been gradually extended over time. Wealth or property quotas have been introduced. The reform acts of the United Kingdom have certainly widened the franchise. However, the wealth and property quotas, whilst more democratic than what they preceded, have certainly still denied the majority of citizens the right to choose their government.

At the Eureka Stockade people fought for their rights—not just those of property owners—to be extended and, eventually arising from that and the efforts of a nascent, progressive Labor movement and indeed the Deakinite Liberal tradition, franchises have been extended in the new world. The franchise was extended to women in 1903 and finally, and far too late, to Indigenous citizens of this country of the 1960s. I found it remarkable as a young man with an interest in politics when my mother, who has five tertiary qualifications and has worked her whole life, informed me that in Victoria she could not vote in the Legislative Council elections because she lacked the sufficient property qualification when she was a young woman. I do find it remarkable, in any day and age, when people are excluded from the right to vote because they lack sufficient property. Unfortunately, I believe the previous government—perhaps not intentionally or perhaps so; I do not know what was in their minds—did endeavour to throw the engine of history into reverse and to wind back the franchise enjoyed by Australians. This, I suggest, was an aberration in our democratic evolution, and I believe we are right to correct that wrong.

Our country quite rightly takes the title of one of the world’s oldest continuing democracies. In fact, we were a democracy both in spirit and in practice even before we formally achieved independence in 1901. I be-
lieve that the notion of equality as typified by the spontaneous outbreak of anger at injustice and unfair taxes at the Ballarat goldfields is hardwired into our national DNA. This is translated into a democracy that is both robust and civil, where ideas are treated on their merits and where politicians are repeatedly reminded not to get ahead of themselves. Our system has survived two world wars, a depression and a dismissal and emerged stronger from each. During the First World War, the people were twice asked to decide whether conscription should be introduced in this country because politicians trusted the instinct of the people on such a grave matter. This bill, I believe, is a contribution to strengthening democracy and ensuring that all Australians retain their right to vote, not just in theory but in reality. I commend this bill to the House.

Mr TUCKEY (O'Connor) (12.18 pm)—It was interesting to hear the impassioned pleas of the member for Maribyrnong to give people the right to break the law in terms of their registration to vote. Let us get these facts straight. Part VIII, section 101(6), of the Commonwealth Electoral Act 1918 says:

A person who fails to comply with subsection (1), (4) or (5) is guilty of an offence punishable on conviction by a fine not exceeding 1 penalty unit.

And what does section 101(5A) tell us? It states:

… every person who is entitled to have his or her name placed on the Roll for any Subdivision whether by way of enrolment or transfer of enrolment, and whose name is not on the Roll upon the expiration of 21 days from the date upon which the person became so entitled, or at any subsequent date while the person continues to be so entitled, shall be guilty of an offence—

as described by me previously. So the member for Maribyrnong stands up here and says there ought to be a special deal for everybody who has failed their legal responsibility under the Electoral Act. Who are these people? They are all people who have been to school. The member made special reference to the young. The young can register for a vote any time after they turn 17—that is, one year before they are entitled to cast a vote—and the member for Maribyrnong tells us that they are all too thick, all too simple or all too corrupt to take that option.

The fact of life is that every schoolkid is told at school about their rights to vote. Unfortunately, in some schools they get told how to vote, and that is something that annoys me no end. It might not be as direct as what would come out of the mouth of the member for Maribyrnong in advising his children, but the reality is that children know and children have a responsibility. That is not a right to leave it until the last minute. There is nothing in the Electoral Act that says that. The Electoral Act says that you have a responsibility as a citizen of Australia. If, as the member for Maribyrnong tells us, all our hearts are beating for that, how can the Labor Party consistently argue that provisions must exist in the act for people who have broken the fundamental principle of the act? That principle is that enrolment is compulsory and that it is compulsory within 21 days of eligibility or of changing your address. That is the law, and yet Labor comes in here and says it is all too hard. Yes, it is all too hard for those who have rorted the system.

Mr Shorten—Rorted!

Mr TUCKEY—Rorted the system. I am going to read to you evidence given by Labor members back in those Queensland days, as reported at the time in the media, where admissions of that nature were known.

Mr Danby—What federal election did they involve themselves in?

Mr TUCKEY—Well, do you remember a fellow called Elder, the Deputy Premier of Queensland?

CHAMBER
Mr Danby interjecting—

Mr TUCKEY—The evidence was that Elder resigned his seat as Deputy Premier of Queensland after being caught out placing other people and himself on electoral rolls where they were not eligible.

The DEPUTY SPEAKER (Hon. Peter Slipper)—The honourable member for Melbourne Ports ought not to interject from out of his seat. Otherwise, I will be compelled to deal with him.

Mr TUCKEY—And who were some of the notables as reported at that time in an official inquiry into these matters, the Shepherdson report? We find there are other identities. One was Mr Mike Kaiser. He had to resign from his office and I think as a member of parliament, as a backbencher. There was also Mr Gary Fenlon. Mr Powell has accused Mr Fenlon of providing addresses of safe houses where voters could be illegally enrolled.

What about this one: vote early and vote often. Another answer was given by the then Special Minister of State—Chris Ellison, in this case—on 6 November 2000 in the Courier-Mail. The Special Minister of State at that time pointed out that a Labor official, a member of the 1987 federal election campaign team, revealed that he and other ALP supporters cast numerous votes for Mr Lavarch, a well-known person at that time—

I think Attorney-General in the Hawke government—and other ALP candidates in state and federal elections by illegally impersonating other people. This is evidence in the Courier-Mail expose. He gives an example of how Labor went about rorting the electoral process. The article states:

On polling day in Fisher—

this Labor member recalls—

there were many female names on the rort list, but a lack of women in on the scam. “But we got one young girl of 16 from Young Labor who thought it was quite exciting. She voted 14 times.”

I want to draw this to the attention of the member for Maribyrnong because of his great enthusiasm for legislating for these rorts. In the 1996 election, polling was telling Labor that one of their senior people, no other than Kim Beazley, was at risk of being defeated in the electorate of Brand. So what happened? There was a trebling in provisional votes on election day. The primary votes were running at 51 per cent in favour of the Liberal candidate, but they opened up the provisional votes under the rules of that time, in which they were virtually accepted on the grounds of someone signing a piece of paper to the effect that, ‘I do live in the electorate, at this address,’ and nobody ever went around before they opened those votes and knocked on the door to see who did live at that address. The votes were running across the board, in Labor boxes and in Liberal boxes, at 51 per cent for the Liberal candidate. But it was tight, and when they opened the provisional votes, which were treble the average, they ran 80 per cent to 20 per cent in favour of the Labor candidate. Now how would that happen? The member for Maribyrnong is a great student, I would imagine, of voting principles. He would have had to campaign for his position in a previous life. Once the trend is established in box after box after box, it stays that way. Provisional votes were cast in all those boxes and yet they ran absolutely contrary to what happened.

The member for Maribyrnong mentioned the act as it exists and complained about it. A person who is not on the roll is asked to perform the simple act of showing some identification. If you front up at an airport and you have a previous booking, what do they say before they give you your boarding pass? They ask, ‘Have you got any identification?’ You invariably have, because in this day and
age you carry your driver’s licence. And why do you carry it? Because some policeman is likely to stop you and say, ‘Where’s your licence?’ It has a photo on it and it is acceptable identification. Yet all of a sudden in one of the electorates, and it was Fran Bailey’s electorate—tell me quickly, Bronnie: what is it called?

Mrs Bronwyn Bishop—McEwen.

Mr TUCKEY—McEwen. In the electorate of McEwen the incumbency of the sitting member was eventually decided in the High Court, and one of the reasons that her votes were considered more valid than her opponent’s was that 200 people or thereabouts who had entered a polling booth and claimed a provisional vote were unable to present identification on the spot. But, what is more, they did not bother to take that five-day opportunity to identify themselves—and these are the people the member for Maribyrnong tells us are so anxious to participate in the political process.

Mr Shorten—So you support an ID card?

Mr TUCKEY—Well, why didn’t they? There is a provision in the existing legislation for if you have emptied out your pockets as you run in to vote and you do not have any identification upon you. Let’s talk about young people in that category for a minute. They know they cannot get into a licensed establishment, a nightclub, without presenting some identification that proves they are of age to enter those premises, but all of a sudden they go off to vote and their pockets are empty. But okay, let’s say there is a genuine case to prove that point. The present legislation, which this government wants to roll, gives them another five days. So if they were, as described by the member for Maribyrnong, dedicated voters demanding to exert their right, why didn’t they come back?

Mr Danby—Because it’s 100 kilometres from where they live.

Mr TUCKEY—Oh, what a load of rubbish. They had plenty of opportunity, and of course there is a fundamental which the member might recollect: ignorance of the law is no defence. The matter was well publicised if only from the debate in this place and the squealing of the Labor Party as their options for manipulation were cut off, as described in the evidence given in those cases up in Queensland—‘Vote early and vote often.’ The reality is that all the evidence is that there has not been such a degree of provisional voting in the Brand electorate since the election. There was a trebling of the average. What does that tell you?

Mr Shorten—You love a good conspiracy.

Mr TUCKEY—It is no conspiracy. A member was elected in that circumstance and he would not have got elected today, because you can bet your bottom dollar half the residents who had moved out of Brand to a more salubrious suburb but were known as dedicated Labor voters came back to claim a vote relevant to their old address. They would have felt comfortable knowing that no-one would go out and knock on the doors of those houses to discover if they still resided there.

I happened to have a few beers with a Labor senator on one occasion. We were having a lot of laughs and he described how as a young Labor person he went into Kings Cross for the local government election—he thought he was going to help out; he was pretty clean-minded at the time—when all of a sudden a truck backed into the campaign office and unloaded about 50 suits. On the day of the election all these old blokes turned up, put on a suit and hat, went and voted and then came back and changed their suits, put on another hat and went and voted again. He was killing himself telling me about it. That is true.
Mr Danby—That’s proof?

Mr TUCKEY—I know it was true. If I named the person who told me that story you would also know it was true. He thought it was funny. Of course, a few beers often elucidate the truth.

The fact of life is that these are the circumstances this legislation as it exists is determined to prevent. There are no grounds for its change—none whatsoever. I honestly believe without any inquiry that the people in the Senate who are not part of the Labor Party would not want to participate. I cannot imagine someone like Senator Xenophon approving and supporting a process for rorting the electoral roll or the voting processes on the day. You just have to check the record as to how many people who asked for a provisional vote in the last election did not produce identification and did not come back to authorise or justify their vote. I think the member for Maribyrnong might have told us of all the people who were denied a vote because they could not prove who they were.

Mr Shorten—So they didn’t exist?

Mr TUCKEY—They might not have existed as the residents they wished to claim they were. As we know, there is a new $450,000-a-year government relations individual. I find it astounding that you can give a government relations job to someone when the government owns the business. But that person had to admit in the Shepherdson inquiry that there were nine people who used the address of his flat to be recorded on an electoral roll. That situation is all in black and white, and I think three MPs in Queensland at the time had to resign. One was the Deputy Premier, whose name I have mentioned. These are the sorts of situations that occurred under a system that did not have the appropriate checks and balances.

Who comes to this place and swears an oath wants to weaken that provision? The fact of life is that that rule is now well understood, and genuine and honest people will be able to manage it. The kids, as I said, never had an excuse to line up and seek to register in the final days before an election. They have a whole year before they turn 18—and, in fact, in many instances that would be two years before an election was called—to register to vote. And they have a legal obligation from the day they turn 18 to register under this act within 21 days.

Mr Danby—You were elected four times under those rules.

Mr TUCKEY—I was certainly elected under them and I certainly never had to worry too much—

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! Direct your comments through the chair, thank you.

Mr TUCKEY—about the Labor Party rorting the roll because they do not travel too well in my electorate. A lot of Labor voters vote for me. But the fact of life is that this matters in marginal seats. Probably a seat in parliament was stolen from a woman who by campaigning got 51 per cent of the regular primary vote but was defeated by the trebling of the provisional votes, which ran 80 to 20 against her. I do not know if the member for Melbourne Ports believes that you do not really have a right to be elected to parliament if you are not a member of the Labor Party. If he believes that then I will be interested to hear his speech shortly.

But the fundamental issue on this matter is that there is no reason why a person should be given special attention to get on the roll at the last minute, because that contravenes the law. And there is no reason in this day and age, when identification is asked for in so many places and people are used to it and they carry particularly their photographic drivers licence, to say that there is something unfair or improper about them having to pro-
duce identification to get a vote when they are not on the electoral roll.

There is another matter in this day of the internet and everything else—that is, if you are worried about it, check it. In the days when the only access was the printed electoral roll, we used to run a table in the shopping centre where people could come out and find out if they were on the roll. But do not give me this rubbish that all these people do not understand the rules, rules that have now been in existence for one election. The only outcome of this change can be that it opens up the possibility for improper practices. I say again and finally, as my time runs out, that it is a contradiction of the law to argue that people need time to enrol. They are obliged to do it and they are obliged to do it within 21 days of becoming eligible or relocating their premises. The member for Maribyrnong says, ‘Oh, they might live in flats.’ When they move flats they have an obligation—(Time expired)

Mr SYMON (Deakin) (12.38 pm)—I rise to speak in support of the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010. This bill before the House will amend the Commonwealth Electoral Act 1918 and the Referendum (Machinery Provisions) Act 1984. This amendment bill is based on the inquiry conducted by the Joint Standing Committee on Electoral Matters into the conduct of the 2007 federal election, as we heard previously from many members in this place. The resulting report was tabled in June 2009 and is entitled Report on the conduct of the 2007 federal election and matters related thereto. It contains 53 recommendations for electoral reform. Forty-five of these recommendations were unanimously supported. The inquiry received 198 submissions from interested parties, including the Australian Electoral Commission, state governments, disability groups and, of course, political parties. This bill will enact a number of the recommendations of the report, and the aim of the amendments in this bill is to enhance the ability of otherwise eligible Australians to participate in the electoral process by removing obstacles to their enrolment.

In December of last year there were an estimated 1.39 million eligible electors currently not on the electoral roll. A third of these missing electors were in the 18- to 25-year-old cohort. Amendments introduced in this bill are designed to address declining enrolment rates and improve electoral participation. That figure of 1.39 million, if it is extrapolated out across the country, means about 9,000 people per electorate that should be on the roll are not—that is, in my seat and everyone else’s seat.

The amendments contained in the bill implement six reforms to the Electoral Act and the referendum act. Schedule 1 of the bill is to ensure that rolls are closed seven days after the issue of the writ for an election. Schedule 2 will provide that provisional voters are not required to produce evidence of identity. Schedule 3 enables prepoll votes cast in an elector’s home division to be cast and counted as ordinary votes. Schedule 4 enables electors to update their enrolment details electronically and enables the Australian Electoral Commission to process enrolment transactions outside the division for which the person is enrolling. Schedule 5 restricts the number of candidates that can be endorsed by a political party in each division.

In 2006 the Howard government made an amendment to the Electoral Act and, as we know from the figures, subsequently disenfranchised hundreds of thousands of voters. In the 2007 federal election the electoral roll was closed three working days after the issuing of the writs, due to the changes by the previous Liberal government. This cut the
time available for people to ensure they were on the divisional roll by a full four days. In the 2004 election the electoral roll closed seven days after the issue of the writs. During the period from 14 to 23 October 2007, 279,000 people enrolled or changed their enrolment in time for the election before the rolls closed. Over 423,000 enrolled or changed their enrolment details during the corresponding period at the 2004 federal election. The difference between the figures meant that more than 144,000 fewer people were able to add themselves to the electoral roll due to the Howard government changes to the Electoral Act. I am sure this is a clear and strong argument that the act should be amended to restore the full week for people to be able to add themselves to the roll or amend their details once the election writs have been issued. Three working days has been proven to be too short a period, and that is easily done by examining the substantial numbers who did not get the opportunity to add themselves to the roll. As I have already said, potentially hundreds of thousands of eligible voters missed out on being placed on the electoral roll due to this regressive change by the previous Liberal government.

In its submission to the inquiry, the AEC focused on strategies to lift enrolments. Its main concern was to increase the number of Australians directly involved in elections, which is an important and central role in any democracy, as I see it—that is, that every eligible person has a say in how their country is run and by whom. The Australian Electoral Commission in its submission to the inquiry also wanted to ensure that a requirement to provide proof of identity did not lead to disenfranchisement. Under previous legislation introduced by the Howard government, obligations were placed on voters to provide proof of identity and they were tightened. Schedule 2 to this bill repeals the requirement for provisional voters to provide evidence of identity. As we know, provisional votes are a type of declaration vote cast by an elector at a polling place on polling day. The Electoral Act and the Referendum Act currently specify that a person who needs to cast a provisional vote at a polling place on polling day must provide a polling official with evidence of identity at the time of voting or by the first Friday following polling day. Currently, if the elector does not provide such evidence of identity by the deadline, his or her provisional vote will be excluded. The AEC estimates that that happened to over 27,000 provisional voters at the 2007 federal election due to the operation of the evidence of identity provisions.

In 2007 those 27,000 voters who turned up at a polling station ended up being excluded because they did not carry proof of identity and they did not take the opportunity, which they probably did not have, to go along to an AEC office, which they might not have been able to get to, to present that proof of identity. Many people work full time and they do not get time off during the day to go and do things they like. That is a problem that many of us face. Work is busy. Sometimes we are needed by others. You may get time off on a Saturday to go and vote but try getting time off between nine and five on a weekday to go and prove that you are who you say you are and things get a whole lot harder.

This bill will ensure that where there is any doubt as to the bona fides of the elector then the signature on the envelope containing the provisional vote will be compared with the signature of the elector on previously lodged enrolment records. This method will ensure that voters are not excluded from voting because they were not carrying proof of their identity on the day, in the case of a provisional vote. The amendments will still protect the integrity of the voting roll where there may have been doubt over the entitle-
ment to vote, as verification by comparing signatures will ensure that a person was on the electoral roll and was entitled to vote. It would seem, to any sensible person at least, that these amendments were a fair and important way to ensure that those who are eligible to vote have got the time to get on the electoral roll and will not have their vote disallowed due to the fact they were not carrying their proof of identity. I really could not see why such reasonable amendments would not be supported by all members of this House to ensure maximum participation in our federal elections. Yet, surprisingly, coalition members of the Joint Standing Committee on Electoral Matters produced a report opposing these changes, stating:

The proposed timeframe of seven days will again make it was virtually impossible to exclude fraudulent votes from the count.

So even though, under the Howard government amendments that came into effect at the last election, 144,542 fewer people enrolled in the period between the issue of the writs and the close of rolls, Liberal Party members want the three-day cut-off to continue because of their concerns over fraudulent votes.

In the 21st century we all live very busy lives. People do not always keep their details up to date on the electoral roll, even though they should. But it is not only the electoral roll. When people move, as happens quite often, there are a vast number of things that they need to update, ranging from things as simple as power bills to mobile phones to lists in some cases running into the dozens, and I am sure some people have to contact hundreds of organisations to change their address details. That is not so bad in the case of a monthly telephone bill or a quarterly electricity bill, because you do get reminded of it when you receive a bill. But elections come along only every three years or less, so it is not always at the front of everyone’s mind—even though it may be at the front of the minds of people in this place. Keeping the rolls open for a full working week would again give people who were entitled to be on the roll the time to make the changes and enact their right to choose their government. To have members of the House oppose this amendment is surprising, to say the least. And it really does just show how out of touch the Liberal Party is with the lives of average Australians.

The amendments contained in schedule 3 of the electoral and referendum amendment bill 2010 will enable prepoll votes issued in an elector’s home division to be cast and counted as ordinary votes wherever practicable. Recent elections have seen a large increase in the demand for early voting. At the 2007 federal election almost 15 per cent of the total votes cast were early votes, but that of course also included postal votes. Under the current act the results of an election are more likely to be delayed, as the counting of early votes generally does not take place on polling night as the declaration envelopes containing the votes must go through the time-consuming preliminary scrutiny processes. This bill provides for prepoll votes cast in an elector’s home division prior to polling day to be treated as ordinary votes—a very sensible amendment. The AEC estimates that if this amendment had been in place for the 2007 federal election it would have resulted in an additional 667,000 votes being counted on polling night rather than sometime in the week following that. As we know, at the last election a number of seats hung in the balance for days while these votes were counted. This reform will help the AEC make their determinations in a more rapid way, which I think is good for everyone involved.

In my electorate of Deakin the result was not declared until 14 December, which was weeks after election day, and even though the margin was not particularly close there
were 6,673 prepoll votes that were counted after polling day, and there were also 5,493 absentee votes and 7,149 postal votes. These amendments would not have changed all of that but they would have sped up some of the process. These days, in the 21st century, when we have a computerised system in place, a lot could be done to speed up the results and act on the determinations of the people.

Schedule 4 of the electoral and referendum amendment bill 2010 will amend the Electoral Act to enable the AEC to manage its workload in non-election periods by allocating work, principally enrolment applications and enrolment changes, throughout the AEC divisional office network. I am fortunate in that my division of Deakin has an AEC office in it, but it actually serves another three divisions as well and sometimes they can be overloaded with work because they in effect have almost 400,000 constituents running through that office. So, as I said, such changes allow the AEC to manage its workload more efficiently by enabling work to be done outside the relevant division. These amendments will also provide the AEC with additional tools to maintain the electoral roll in a timely and efficient manner.

Schedule 4 will enable persons already on the electoral roll to update their address details by providing this information to the AEC in electronic format. Under the current act an elector cannot update their details via the web or email. Again, looking at what happens elsewhere, that type of thing is quite common. Of course, at the end of it all you still need to be able to prove who you are, but there are now many services that we use on a daily basis where we can update our address and contact details via email or via the web. That is a good thing as we continue into a digital economy. At the moment, any changes need to be provided on a hard copy electoral enrolment form, which needs to be signed and lodged with the AEC.

This amendment bill will enable people to easily change their enrolment details online. Of course, the beauty of doing such a thing online is that it does not have to be done during business hours. If someone is working during the day then getting along to an AEC office or getting hold of the forms that are needed is not always as easy as we may think it is. Speaking for myself, I do a lot of my banking and the like outside business hours. Frankly, that is the only time that most people get the opportunity to do such things.

The first four schedules on the electoral and referendum amendment bill 2010 were based on recommendations of the Joint Standing Committee on Electoral Matters inquiry into the conduct of the 2007 federal election. In addition, schedule 5 aims to restrict the number of candidates that can be endorsed by a political party in each division. The need for this amendment arose out of the by-election held last year in Bradfield in New South Wales. In that election, as we have heard, there were 22 candidates, nine of whom came from one party. The ability for a registered officer of a political party to endorse candidates for an election was introduced back in 1987 into the Electoral Act, with the intent of providing a streamlined way for political parties to nominate candidates. If not endorsed by a registered political party, a person seeking to be a candidate for an election must obtain the support of 50 electors. The intent of this amendment was to simplify the process for the political parties. It was never intended to be used for multiple candidates.

The current act does not limit the number of candidates a registered officer of a political party can endorse. At the Braddon by-election where, as I have said, there were nine candidates nominated by one party, the
Christian Democrat Party, there was a great deal of confusion. According to the views I have heard, however, it was probably not illegal under the current act. I am sure, though, that it was a clear breach of the intention of the act.

Mr Shorten—it was Bradfield.

Mr SYMON—Bradfield. Thank you, Parliamentary Secretary.

The DEPUTY SPEAKER (Mr S Sidebottom)—Yes. I don’t remember nine candidates in my election!

Mr SYMON—I was watching the deputy speaker there, but I will actually get back on track now.

The large number of candidates in the by-election created a number of issues for voters. With such a long ballot form there were many, many boxes and some people forgot to put a number on. Other people put a number on twice, which led to an informal vote. Back in 2001 I recall there being a by-election for the seat of Aston, near my seat, which had something like 16 different candidates. The informal vote went up because there were mistakes made on ballot papers. Having said that, each of those 16 candidates represented different political parties or different independent points of view.

Under the electoral system, as we know, for a voter to register a formal vote they are required to number a ballot paper from ‘1’ and run down the number of candidates on the ballot paper in their choice without errors in the numbering sequence. At the Bradfield by-election the rate of informal votes was nine per cent. This was more than double the informality rate for the division at the 2007 federal election and it was way more than double the national average informality rate at the 2007 general election, which was 3.95 per cent. The practice of multiple candidates for a single division being endorsed by the registered officer of a political party had not emerged on this scale prior to the Bradfield by-election last year. Schedule 5 under the electoral and referendum amendment bill 2010 is required to prevent a similar rise in the informality rate in multiple divisions at the next federal election.

The Rudd government is committed to restoring the integrity of our electoral processes and systems. The first step in that process, which is still underway, was the introduction of the Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2008, and the subsequent 2009 bill, which aimed to restore accountability, integrity and transparency to our system of donation disclosure. But unfortunately these provisions have been blocked by the Senate. The reforms in this bill currently before the House will take important steps to ensure that voters have the time after an election is called to get on to the electoral roll. I commend this bill to the House.

Mr FLETCHER (Bradfield) (12.57 pm)—I rise to speak in this House for the second time, and on this occasion I am conscious that I no longer have the privilege against interjection which I enjoyed the first time I spoke. But I rise to speak as the member for Bradfield because, as a number of people have already pointed out in this debate, one of the provisions in the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010 was triggered by events which occurred in the Bradfield by-election on 5 December 2009. That is a date that will be burned into my memory for the rest of my lifetime. It was a day of great celebration for me personally and for all of the people who worked so hard to assist me in the very successful result that the Liberal Party was able to secure in the Bradfield by-election—notwithstanding the complications which arose by virtue of the fact that there were 22 candidates.
At the end of the process of contesting the Liberal Party’s preselection, which involved 17 candidates, I thought to myself that at least I would not find I was up against such a large number of candidates when I got to the by-election. But I had not counted on the ingenuity of the Christian Democrats and, particularly, their campaign manager Michael Darby, a man who I understand is no longer associated with that party. As we have heard at some length, there were nine candidates put forward by the party. He originally proposed to have 11—that being, I think he was quoted as saying, the number of disciples with the exception of Judas. That, I understand, was the logic that he offered.

In practical terms, though, the question is: what was the impact on voters in the by-election of the fact that there were 11 candidates appearing under the same party banner? There can be no doubt that voters found it confusing and annoying. I can say that on the basis of direct personal feedback which I received during the course of the Bradfield by-election. Voters were conscious of the fact that it required them to fill out a ballot paper with 22 choices to be made—22 boxes to be marked. They were conscious of the fact that it created extra opportunity to make an inadvertent error which would frustrate their intention in registering a valid vote. I also understand, from conversations with the AEC’s returning officer after 5 December, during the counting process, that it was discovered that a significant number of voters had become confused by the need to rank their vote from one to 22. A particular complication was the difficulty that all parties faced in providing how-to-votes, which made it easy for our supporters, whichever party it might be, to exercise their democratic will. So there is no doubt that it was an unfortunate outcome which frustrated the intention of a number of voters who sought to cast a valid vote but were unsuccessful in doing so, and there is no doubt that it caused significant anxiety and concern in the electorate of Bradfield. Regrettably, it was one of a number of factors which caused significant anxiety and concern.

Another factor which caused such anxiety and concern was a deeply offensive survey which was issued by the Christian Democrats during the by-election. It contained questions such as: do you agree with the statement that the federal government should have the power to deport any Muslim? Do you agree with the statement that Australia needs no more Muslim schools and no more mosques? I want to make it clear once again here in the House of Representatives that I absolutely dissociate myself from those statements in that survey issued by the Christian Democrats in the Bradfield by-election, and I condemn that approach as being offensive and wholly inappropriate.

We heard from one of the earlier speakers in this debate that the consequence of there being 22 candidates, including nine Christian Democrats, was that the informal vote was much higher in the December 2009 by-election than it had been in the 2007 general election in the division of Bradfield. It is correct that the informal vote was much higher, more than double, in 2009 than it had been in 2007. The member who made that point neglected to mention another significant causal factor, which is that the other major political party in Australia could not be bothered presenting a candidate to give the people of Bradfield who may have desired to vote for that other major party an opportunity to do so. I think it is a matter for regret that the Labor Party chose not to put forward a candidate in Bradfield. It is undoubtedly another factor which increased the informal vote, because there would have been a proportion of people who could not bring themselves to vote for me and who therefore would choose to vote informal. I
respect the feelings of voters who took that position, and I do think it is a matter for regret that there was not a candidate in the by-election from the other major political party in this country.

Let me make it clear that I have absolutely no quarrel with those who voted for the Christian Democrats, because almost without exception they showed considerable wisdom in their allocation of preferences. But I do think it is a significant matter for regret that this confusing and complicated tactic was imposed on the people of Bradfield, who were already being required to come out and exercise their democratic choice in the face of difficulties such as the absence of a candidate from the other major political party. Therefore, I want to put on record my strong support for the proposed amendment, which would prevent this tactic of multiple candidates under the banner of one party being adopted in future.

Let me turn now to the other major aspect of this bill which I wish to comment on—that is, the issue of the date on which the rolls are closed. There has been a lot of rhetoric about that issue in what we have heard from the other side here today. There is clearly a balance to be struck between competing objectives. One of those objectives is maximising the capacity for as many Australians as possible to participate in the democratic process. But another very important objective is protecting the integrity of our electoral process and maximising protection against the risk of fraudulent behaviour. I think the words of a great hero of conservative political thought, Ronald Reagan, are very wise and relevant to this situation. The principle that Ronald Reagan adopted is that we should ‘trust, but verify’. That was the principle that he adopted in dealing with the Soviet Union on the issue of missile reductions, and I think it is an appropriate principle in dealing with important issues such as the integrity of the electoral roll.

On our side of the House we make no apology for the fact that we believe that citizens who come to put themselves on the electoral roll and exercise the important right and responsibility to vote in a general election or, indeed, in any election should be required to meet certain minimum obligations. It is not a difficult or an onerous job to get yourself on the electoral roll. Like others in this House, I commend the Australian Electoral Commission for the work that they do, including the work they do to make it as easy as possible for people to get on the roll.

But there is an important issue of personal responsibility here. It is not an onerous requirement to say to Australians who want to participate in an election: ‘You should get yourself on the roll and you should be on the roll within the specified time after moving to a new address. This is one of the responsibilities of citizenship and if you wish to exercise the precious privilege of being able to vote then you should get yourself on the roll.’ As we look at this issue of how we ought to properly balance up the two competing considerations—the first consideration being to maximise the number of Australians who are in a position to participate to vote, and the other consideration being protection against electoral fraud—we say the balance is properly struck in the way that the law presently stands. That is, the rolls are closed when the writs are issued.

One of the relevant questions here, obviously, is an assessment of the likelihood of electoral fraud occurring. If the risk were remote and theoretical the balance might, perhaps, be struck in a different way. But I am sorry to say that the risk is not remote and the risk is not theoretical. As a very new member in this place, I have been informing myself about a circumstance in which
fraudulent behaviour, regrettably, occurred in all too tangible a fashion. I refer, of course, to the events described in the Shepherdson inquiry, an investigation into electoral fraud in which a gentleman named Mike Kaiser—

Mr Danby—How is it relevant to a federal election?

Mr FLETCHER—Mr Deputy Speaker, it is clearly a matter of the highest relevance that there has been substantive evidence of fraudulent behaviour. Indeed, we have seen so much concern in the community about this that there was a need for a formal inquiry.

As somebody new to the parliament, and informing myself about these issues, I was disturbed and troubled to learn of the facts which are recorded in the Shepherdson inquiry. I was disturbed and surprised to learn that a gentleman named Mike Kaiser admitted to the Shepherdson inquiry that he signed an electoral enrolment form dated 7 January 1986, enrolling him at 11 Seventh Avenue, Coorparoo, even though he never lived there. I was disturbed and surprised to find that this gentleman subsequently became a member of the Queensland parliament, and was then required to resign from the Queensland parliament when these facts became known more generally.

Mr Danby—Which federal election did it affect? You can’t answer!

The DEPUTY SPEAKER (Mr S Sidebottom)—Order! The member for Melbourne Ports will desist.

Mr FLETCHER—As I thought about this issue, I turned over in my mind the name ‘Mike Kaiser’. I thought to myself, ‘Where have I heard that name in another context?’ I am aware of a man named Mike Kaiser who has recently been appointed to a $450,000 role as the head of government relations for a company called NBN Co.—a 100 per cent government owned company, which apparently needs to pay somebody $450,000 to manage relations with its 100 per cent shareholder.

I thought to myself, it cannot possibly be correct that this person who has been named in the Shepherdson inquiry—an investigation into electoral fraud—could be the same Mike Kaiser whom the Minister for Broadband, Communications and the Digital Economy, Stephen Conroy, thinks is appropriate to be appointed to this $450,000 job in the 100 per cent government owned NBN Co. But to my great surprise—and I do confess my naivety as a recently arrived member of this House—it was the very same Mike Kaiser. I do wonder what his qualifications for the job are, because they clearly must be substantial if they are to be weighed in the balance against this significant blemish.

Mr Melham—Mr Deputy Speaker, I rise on a point of order. I ask you to bring the speaker to order, certainly in relation to his most recent remarks.

The DEPUTY SPEAKER—The point of order is on relevance. The member for Bradfield will be reminded of the legislation before him and will be relevant to that legislation.

Mr FLETCHER—May I thank the member opposite for his solicitous concern for my welfare as a recently arrived member of this House who may not have fully appreciated the boundaries, which I may say appear to be extremely flexible as to those matters which can legitimately be canvassed. I would make the point that I think it is a matter of—

Mr Melham—You’ve been here long enough to know—

The DEPUTY SPEAKER—Order! I am in the chair and I will decide.

Mr FLETCHER—I think it is a matter of legitimate inquiry for this parliament as to
the circumstances in which electoral fraud occurs when we have before us a piece of legislation about whether there ought to be changes to the procedures which today are designed to protect against electoral fraud with regard to governance in relation to the electoral roll. It is a matter of the highest relevance to that important public policy question that we ask ourselves what circumstances there might be in which electoral fraud has been committed in the past, what might be the motivations of the other side of the House in putting forward this legislation and what interest has been demonstrated by very senior members of this government—ministers in this government—in the career of individuals who may have been involved in that kind of deeply regrettable behaviour.

As I come to look at this piece of legislation, to weigh up my responsibility as a member of this House and to assess the wisdom of what has been proposed in the legislation brought forward by the government, the conclusion I reach is that it is unwise in the extreme to vary the present balance which applies between those two competing considerations: on the one hand, maximising democratic participation in the election process and giving as many Australians as possible the capacity to vote and, on the other hand, the importance of protecting the electoral roll and maximising the protection against the capacity for fraud.

What we have seen and what I was shocked to discover as I read the Shepherdson inquiry report is that there are examples on the very recent public record of fraudulent behaviour when it comes to electoral rolls and they involve a whole range of people who are cited in that report including Mr Mike Kaiser. It seems the present Minister for Broadband, Communications and the Digital Economy, Senator Conroy, has a solicitous interest in the furtherance of Mr Kaiser’s career. I think that the public policy questions that raises are significant and weighty indeed. What we have seen is that there is regrettable—if that inquiry is to be believed and I see no reason why it ought not be believed—a culture of cavalier disregard for the legal regime governing the application of the electoral roll. In the face of that tangible, recent and thoroughly troubling evidence of such culture, it is no surprise that, on this side of the House, we view with a considerable degree of scepticism the proposal that is being put forward for a change to the timing of the closure of the roll. (Time expired)

Ms McKEW (Bennelong—Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government) (1.17 pm)—I am delighted to speak on the important Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010 today and indeed to follow the new member for Bradfield. I would like to commend him on some of the statements he has made, in particular wanting to support one aspect of this bill, which is the important addressing of the question of multiple nominees of a party as happened in the Bradfield by-election.

I am standing here stunned to hear that the member for Bradfield is quoting as his poster boy former American President Ronald Reagan. I am standing in the chamber thinking: what is it that President Reagan has to do with electoral politics? I am thinking back to my time in Washington, because I was there in the eighties during the second Reagan administration and I spent a lot of time involved in the Iran-Contra hearings. What does this have to do with electoral politics? It had a lot to do with the electoral politics in Central America, particularly in Nicaragua. It was an interesting tangent for the new member for Bradfield. But I will come to why I am prepared to support this bill. I think it does go a very long way to
restoring our democracy to health after what
I would describe as the malaise it endured
under the previous government.

As other speakers on this side of the
House have observed, this is a bill that re-
stores the status quo ante on voter enrol-
ments after the announcement of an election
by pushing back the close of the electoral
rolls to seven days after the issue of the
writ—the period of grace, as I think member
for Isaacs told us earlier in this debate. This
is in line with recommendation 1 of the in-
quiry into the 2007 federal election by the
Joint Standing Committee on Electoral Mat-
ters, where the member for Banks presides
with a very steady hand. It is a right and
proper thing that he does so, because restor-
ing access to the franchise is the first and
foremost aim of this bill.

Again it has been interesting to be in the
chamber while the other side, principally the
member for Bradfield and others, have been
demonising the Labor Party over matters that
have nothing to do with a federal election. In
fact, by contrast, the previous government
did many things, I think, to outrage the de-
cency of fair-minded Australians. The
change pushed through the parliament in
2006 by Senator Eric Abetz, the then Special
Minister of State, to bring forward the close
of rolls is up there among the outrages, and
for those on the opposite side it is a long list.
There was the wrongful deportation of Aus-
tralian citizens and children kept in detention
under the policies of the member for Berowra.
There was the wheat for weapons scandal in
Iraq that happened on the watch of the former
member for Mayo. Then there
was the lengthy detention of Dr Mohamed
Haneef presided over by the member for
Menzies. Those on the opposition benches
certainly set the bar very high when it comes
to outrageous behaviour and the denial of
fundamental democratic rights. But I think
the disenfranchising of thousands of Austra-
lions is definitely up there among the great
outrages perpetrated by the previous gov-
ernment.

I remember the 2007 campaign vividly.
One of the first public events I had in Ben-
nelong was a seminar at the Epping Club. I
entitled that seminar ‘Integrity in govern-
ment’. As members who are familiar with
northern Sydney, and that would certainly be
the member for Bradfield, the Epping Club is
a long way in both distance and mindset
from, say, something like the Randwick La-
bor Club. The Epping Club is not the red
centre of Sydney. But on a cold night in July
2007 there was standing room only in the
Epping Club to hear Senator John Faulkner
speak with his characteristic passion about
Senator Abetz’s changes and about how the
Howard government had been playing fast
and loose with our democratic traditions.

The former government was full of rheto-
ric, as we can all recall, about the benefits of
freedom and democracy in other parts of the
world. At the same time, it was pushing
through changes that eroded the ability of
Australian voters to exercise their fundamen-
tal democratic freedoms. As the Human
Rights Commissioner, Graeme Innes, has
noted, the changes have the potential to dis-
enfranchise:

… many Australians—particularly those who are
marginalised, such as young people, new Austra-
lian citizens, those in rural and remote areas,
homeless and itinerant people, Indigenous people
and people with a mental illness or an intellectual
disability …

In fact, it was only the hard work of the Aus-
tralian Electoral Commission, through a $24
million advertising campaign, that prevented
the former government from disenfranchis-
ing even more Australian voters in 2007. The
figures speak for themselves. As the joint
standing committee has noted, almost
280,000 people successfully enrolled or
changed their enrolment in the week before
the rolls closed for existing voters on 23 October 2007. As we know, the election was called on Sunday, 14 October. The writs were not issued until the Wednesday even though the election was announced on the Sunday. If those writs had been issued the following Monday and the rolls had closed, as they could have, on Monday, 15 October, 17,000 of those 280,000 enrolment transactions would have been made. As it was, more than 100,000 people missed the close of rolls deadline in 2007, either by failing to enrol or changing their enrolment details. Admittedly that was fewer than in the 2004 election, as the member for Indi pointed out, but she failed to point out that it was because of that $24 million AEC campaign and the fortuitous timing of various public holidays after the election announcement on 14 October.

As a member of this House, I cannot say that I am proud of the fact that 100,000 Australians missed out on exercising their right to vote, and nor should any other member of the House. The overall number of voters who ended up being disenfranchised was greater than that 100,000. Again the report of the joint standing committee states that close to half a million electors were unable to exercise the franchise at the last poll. That is because they were either not on the rolls or because they were on the rolls but with incomplete or incorrect details. As the joint standing committee has pointed out, that included 31 17-year-olds who would have turned 18 on or before polling day and more than 4,000 18-year-olds who would have voted for the first time in the 2007 election. These young people were denied the opportunity to do so because of the changed arrangements.

I think these figures are the crucial context in this debate. They show up the straw man arguments of those opposite as they persist in their campaign to deny Australian voters the opportunity to vote—a denial afforded by early closure. The straw man in this case is the argument that somehow the integrity of the roll needs defending. ‘Defending from whom?’ you might ask. Perhaps from the sort of people who were distributing unauthorised materials in the seat of Lindsay during the last election campaign, and we know how that sorry episode turned out. I do not think that is the sort of mischief those opposite are worried about today. They are instead perpetuating the original flawed rationale that they used to justify these changes in the first place. They made the changes and they are sticking by them on the pretext that there are people who might mischievously cast multiple votes. I am pleased to say again that the joint standing committee’s report has well and truly torched the opposition’s straw man.

Earlier in the debate the member for Moreton made this point, but it bears reinforcing. There were 20,000 instances of apparent multiple voting in the last election. The AEC wrote to those voters. In more than 18,000 cases no further action was required. There were just over 1,000 admissions of multiple voting, but more than 80 per cent of those were due to confusion or poor comprehension. So what was the final wash-up? Ten cases were referred to the Australian Federal Police and there were no prosecutions. What does that tell us? It tells us that there was no problem, yet the opposition are prepared to disenfranchise tens of thousands—even hundreds of thousands—of voters in the name of their imagined scourge of multiple voting, a scourge for which not one person was prosecuted in the last election.

I note that the member for Cook, in his dissenting report to the joint standing committee, puts an interesting spin on early closure. He insists that bringing forward the closing of the rolls had a positive effect by actively encouraging enrolment. A positive effect? I think the member for Cook has spent enough time at polling booths to know
just how positive voters feel when they turn up on election day and find themselves unable to do their civic duty. Those opposite must accept the reinstatement of the one-week closure. The report of the joint standing committee lays everything out with great clarity. There is no acceptable excuse of confusion or poor understanding available to those opposite. They must cease their reliance on disingenuous and sham arguments about protecting the so-called integrity of the roll at the expense of Australians who just want to exercise their right to vote.

What is wrong with embracing and restoring the fundamental rights of our democracy? It would seem to me that the best way to ensure the integrity of the electoral process is to ensure that we make enrolment simple and widely available to what is now a very mobile population in Australia. That is why I am glad to welcome another part of this bill that will allow the Australian Electoral Commission to modernise enrolment procedures by instituting online enrolment updating. So many of our daily transactions now happen online, such as banking, bill payments and many other things. Our electoral enrolment must be one of the last aspects of our lives where we have as yet been unable to update electronically. Everyone in this place knows how mobile we are. As the joint standing committee report observes, the last census showed that 43 per cent of people lived at a different address from where they had lived five years previously. This is very important for our democracy and I am glad to say that this part of the bill has bipartisan support, as it should.

I am glad as well that this bill will make it possible for prepoll votes to be counted on election night. There seem to be more and more close contests. The counting of prepoll votes as ordinary votes, I think, will give us more chance of knowing for certain the result in those close seats on election night. Having had to wait for 48 hours or more back in 2007, I am all for that.

Ms Macklin—How can we not agree?

Ms McKEW—That is right. Thank you very much. Coming to another aspect of this bill—and this is the one that the previous speaker talked about to a great extent—I am pleased to see that this bill also addresses a concern arising from last year’s Bradfield by-election by limiting registered political parties to a single nominee per division. Those of us from Sydney, who know this very well, know that there was, shall we say, an oversupply of candidates at the Bradfield by-election both for preselection and for the actual by-election. As a matter of fact, one of the failed Liberal contenders in Bradfield has decided to chance his arm in Bennelong. I am not quite sure when he is moving into his second choice of Bennelong, but we await that move with some interest. If he does not hurry up, he may not even be able to vote for himself. Perhaps that is some incentive, actually, for Senator Abetz and his colleagues to pass this bill and give the Liberal candidate for Bennelong an extra week to move into the seat and start explaining why he opposes more than 700 local infrastructure projects, a question we all want answered. But I know I am digressing here.

The substantive change that the government seeks to enact through this bill will close a loophole that led to what was called the ‘bedsheet ballot’ that occurred at the Bradfield by-election. Again, the previous speaker, the member for Bradfield, has gone through this at some length. The deliberate confusion was caused by one party nominating nine separate candidates. It led to the highest informal vote ever recorded in the seat. That is a clear abuse of the process, and we certainly need to stop that from happening in the future.
I want to conclude my comments by commending the government members and the staff of the joint standing committee for their excellent work—in particular, again, the member for Banks, who has been in the chamber throughout much of this debate. The nagging question for me is how this opposition of spoilers, these deniers of democracy, will respond to this bill in the Senate. I have to say that, as we all know on this side of the House, their form is far from encouraging. The coalition parties have repeatedly blocked the government’s attempts to bring greater integrity to Australia’s electoral laws, failing to reform the political donations system, and it is a continuing point of shame that they have failed to do that. The opposition continues to hide behind procedural arguments rather than engage in debate on donations reform. The opposition says publicly that it supports campaign finance reform, but it chokes at the thought of greater transparency and accountability. The only consistent policy position the coalition appears to have is to oppose greater integrity in our electoral laws.

As others have noted, the commitment to reinstate the one-week period before the closure of rolls was a commitment that the Labor Party took to the last election. It was absolutely clear, and let me state that. Labor’s position is clear, fair and simple. We stand for ensuring that no unnecessary barriers are placed in the way of citizens who just want to exercise their basic democratic right to vote. As other government members have pointed out in the debate, the number of Australians not on the roll is staggering. We must do better, and passing this bill in full will help us do that. In conclusion, I urge the opposition to show respect for our democratic process and the voters of Australia and to pass this legislation. I commend the bill to the House.

Mr MELHAM (Banks) (1.34 pm)—I rise to support the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010. Mr Deputy Speaker Scott, on 24 March I, like you, will celebrate 20 years as a member of parliament. For more than half that time, I have been a member of the Joint Standing Committee on Electoral Matters, so I have had an opportunity on that committee to conduct reviews of nearly all the elections that I have participated in. The bill that is before the parliament today largely arises out of a number of recommendations of the Joint Standing Committee on Electoral Matters.

It is fair to say that, of the matters before the House, three out of five are non-contentious and are supported by the opposition. They have to do with modernising the enrolment process, with allowing the Electoral Commission to manage its workload more efficiently by enabling enrolment transactions to be processed outside the division and with enabling prepoll votes cast in an elector’s home division to be cast and counted as ordinary votes. In short, that last recommendation makes the divisional returning office basically another booth that is counted on election night, to put it crudely. That will enable 667,000 votes to be counted on polling night, according to the second reading speech. So on those matters there is no contention.

The contention arises, however, in relation to the two key recommendations to restore the close of rolls period of seven days after the issue of the writ for an election and to repeal the requirement for provisional voters to provide evidence of identity. Let me say this at the outset: the paranoia of the opposition, both now and when they have been in government, has caused the disenfranchise-ment of hundreds of thousands of legitimate voters at federal election time.
In my first review—the review of the 1990 election campaign—the National Party, having lost the seat of Richmond, was complaining that dead people voted. I can recall the inquiry that we were conducting. We were in the main committee room, and the big allegation made by the National Party was that a code had revealed that all these dead people had voted and changed the result in the seat to Labor—that fraud had been perpetrated on a massive scale. When the Electoral Commission investigated the allegation and evidence was given to the committee, it was shown that the code that was being relied upon to argue there was fraud was actually the code that was used to take the people who were deceased off the electoral role. It was the exact reverse of the allegation that the National Party was making before the electoral committee at the time.

I do not have a problem if the opposition want to argue fraud that will result in massive change to our electoral requirements—if they produce the evidence. The truth is that Mr Danby, my friend and colleague, the member for Melbourne Ports, has already reported to the House that over a period of a decade there were only 71 proven cases of fraud, which is one in a million votes cast. The evidence before us as a committee regarding the instances of multiple voting—the evidence detailed in a table in our report—shows that the multiple voting that occurred was accidental and mostly related to aged-care facilities and older people where multiple applications had been made by mistake. The child thought that the parent had not voted and so assisted in filling in another form on behalf of the voter. Those figures are in our report.

The thing that I like about the report that the committee produced for the parliament this time is that it is an extensive report but all the facts are there. The myths are explored. Everyone is given an opportunity to produce evidence of fraud. We were told about McEwen and fraudulent votes. At the end of the day, the investigations of the Electoral Commission showed that there was not one instance of electoral fraud in McEwen. You will remember that McEwen was the subject of a Court of Disputed Returns hearing. I think the current member was asserting at the time that there were some multiple-voting instances. By the time the commission finished looking at it, there were none. I will quote from table 2.3 on page 18:

(a) Of the admissions/aged category 98 per cent were 70 or over. (b) Of the 64 cases referred, 25 were subsequently investigated by the AFP in a day of action approach. The AFP made referrals to the DPP, but no cases were prosecuted.

I think these cases should be taken seriously. If people break the law and commit fraud, they should be prosecuted. I am not standing here defending people who commit fraud; I am defending the innocent people who have had their votes not counted because of the red tape and the extra provisions that have been put in.

One of those was the proof of identity for provisional voters. They show up and have to produce their driver’s licences. If it is not there, they get a provisional vote and, if they do not produce their licence within so many days, their vote will not count. That provision alone resulted in a massive increase in the number of votes rejected. In 2004 it was 89,841 votes rejected; in 2007 it was 143,470 votes. That is over 40,000 more—and for what? A bit of paranoia. The suggestion that is picked up in the bill before the House is that the way you can check the veracity of the identity of the particular voter is the way that it was done for generations: you can compare signatures. The person who fronts on the day signs an electoral form that the ballot goes into. The Electoral Commission has a signature from an earlier enrolment or variation of enrolment to which it can be
compared. If the scrutineers are contesting the identity of the person, you have a signature, which is a lot more secure than a driver’s licence or another form of identification, particularly with young people.

That has become our own little hanging chad. It is like Florida in America during the first Bush election, which we all laughed at. People who went to the booth and legitimately voted did not have their vote counted because the machine malfunctioned. That went all the way to the Supreme Court, with different judgments at each stage of the process. But something that is in there poisoned legitimate votes—not fraudulent votes—and any scrutineer in any tight contest like McEwen can challenge the veracity of a provisional vote by way of signature. I have scrutineered in election after election and by-election after by-election and, let me tell you, the Electoral Commission’s records are pretty good. Votes get knocked out if someone has faced for them. Facing is when someone shows up voting in someone else’s stead. If the signature is suspect then the commission knocks them out if they are challenged in the scrutineering process.

In relation to the matter of the seven-day rule, today I tabled a report in relation to automatic enrolment. It was an inquiry into the implications of the New South Wales electoral amendment act that has recently been passed and which allows automatic enrolment and the reliance of the Electoral Commission on certain documentation to put people on the roll. It even allows people to show up on the day with proper proof of identity and have a provisional vote on the day. The Liberal Party in New South Wales supported that—they were not frightened of it—and our committee has recommended that. That goes beyond the seven-day rule.

But, again, what do we see? Our report shows that 100,000 people were unable to get their change of enrolment or new enrolment in on time at the last election, where there were extra days because of public holidays. That is 100,000 votes. This issue has been around for a long time. I have the 2004 report here—the chair was Mr Tony Smith, the federal member for Casey—which recommended the change to the close of roll with the issue of the writ. There is no evidence in there. There is no substance to the recommendation. There are assertions about electoral integrity—and that this provision somehow weakens electoral integrity. Hundreds of thousands of transactions are processed by the Electoral Commission, or have been, in that window of opportunity that is all about making the electoral roll more accurate for election day. By closing the rolls at the issue of the writ, you end up disqualifying a whole lot of people.

Whether we like it or not, people do move. My electorate used to be the most stable in the country—in the ’86 census. It now ranks about eighth. The member for North Sydney’s electorate turns over 50 per cent every six years. To allow a safety net of seven days in which people can lodge changes to their enrolments or put in a fresh enrolment does not lead to an increase in electoral fraud; indeed, there is no evidence that it does. The coalition’s change to this enrolment provision for the last election was based on an assessment they made about the types of people who engage in those transactions and the way they vote. That is no way to run an electoral system. I happen to believe in including as many people as possible so that you get an honest result.

I say to the opposition: if you want to oppose these provisions then come forward with substantive evidence, produce the multiple fraudulent votes of the past that have changed elections—because, if you can produce fraudulent votes, particular decisions can be annulled. But, if you exclude legiti-
mate results, as these provisions do—in one instance, more than 40,000 votes, in another instance 100,000 votes—then you cannot change the result, but you are affecting the result. You are calibrating the system to exclude people. The member for Casey, in his report after the 2004 election, engaged in conduct that was about excluding people for partisan political advantage, and it did not save them at the last election.

The figures that the Australian Electoral Commission gave us and the electoral report that we produced has a litany of material that shows legitimate voter after legitimate voter—based on the rules that occurred prior to the last election—being excluded in every single electorate. There is a table at the back of this report, which I have here, which talks about provisional votes—as I said, 143,470 votes excluded. There is also a comparison with what would have happened under the old rules. Under the old rules, I had 297 excluded in my electorate of Banks in 2004. Why? Because those are votes which are put in an envelope and checked and, if the signatures do not match, they are put aside. So they are not all admitted, but I had 297 excluded. In 2007, the change to the act resulted in 729 being excluded. That is 430-odd more.

The opposition have not produced 43 fraudulent votes for the whole of Australia, let alone 430 fraudulent votes. But, in their ideological pursuit of integrity in the election, they have gone a bridge too far. They have excluded hundreds of thousands of people who otherwise would have got a legitimate vote. Frankly, I do not think laziness or being a bit slack is an excuse to knock you off the electoral roll. I have a different view to that of the opposition in relation to that. This is the party that says: ‘Too much red tape!’ You have safety net provisions. Where you exclude people is where it is a fraudulent vote—that is, if it is not the true identity of the person voting but someone on their behalf. As I said, the provisions that we seek to reinstate are not new provisions; they are provisions that have been around for a very long time. The opposition, when they were in government and changed those provisions, were not able to demonstrate one seat in the whole of Australia in the previous decade that had changed hands and would be reinstated as a result of their provisions. I can tell you about the fraud perpetrated on the Australian electorate: it was by the former government, it was about electoral fraud, trying to bring our electoral system into disrepute—one of the best electoral systems in the world. In my foreword—and it has not been disputed since this report was tabled—I said:

It is evident, however, that at least 466,794 electors were unable to exercise the franchise correctly at the 2007 election, either because they were not on the electoral roll, or they were on the roll with incomplete or incorrect details. Much of this disenfranchisement results from changes to the Commonwealth Electoral Act 1918 made following the 2004 election.

What an absolute indictment on the opposition. There were also 143,470 electors who cast a provisional vote but had their vote rejected at the preliminary scrutiny because of the change of rules. When you compare it, it was 40,000-odd more than the previous election.

The other thing that I think needs to be said is that we have changed the Electoral Act in my time to help people stay or get on the roll—and some of them were your constituents, the farming community. Because of the tyranny of distance, we changed the Electoral Act to allow them to be on the permanent list of postal voters—to cut the red tape from applying to those people who, by the time they received and put in an application, could miss out on a vote because of the tyranny of distance. That is the role of the electoral committee of this parliament.
That is the role of this parliament: to enfranchise people, not to disenfranchise them, not to bring in pieces of legislation that are the equivalent of the hanging chads, designed to exclude people who have a legitimate right to vote.

It just irks me that we get these sanctimonious speeches from some on the other side, and I say to them: I am prepared to sit down and listen to your evidence; give me the evidence. As Chair of the Joint Standing Committee on Electoral Matters, I lay the challenge out to the opposition: bring the evidence, not the rhetoric, and we will respond. It is about letting people have a vote, not knocking them off because they are not going to vote for you. (Time expired)

Mr LAURIE FERGUSON (Reid—Parliamentary Secretary for Multicultural Affairs and Settlement Services) (1.54 pm)—The starting point with respect to this debate on the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill 2010 must be the comments of Mr Ed Killesteyn, the electoral commissioner of this country, the head of a well-respected, independent authority, when he said, as quoted on page 82 of the Joint Standing Committee on Electoral Matters report on the last federal:

It is necessary to be aware of and examine factors that create barriers to achieving greater enrolment participation at the commonwealth level and to find ways to mitigate their impact on the electors and potential electors in order to increase enrolment participation levels.

That is the starting point of what we are discussing here today.

This is an area where there is, indeed, a very genuine difference between the two sides of politics in this country. That is not to say that there has not been, in the case of compulsory voting, significant division historically in the opposition side. The government has a very firm belief that, in the interests of Australian democracy and in the interests of competitive politics, we should maximise the possibility of people being involved—that we do not try to put barriers there; that we do not try to make it difficult; and that we actually continuously seek to have as many people as possible enrolled and registered, and as many of them as possible voting. That is why in the 1920s this country became one of the few countries in the world to introduce compulsory voting. That legislation went through this parliament in a very short time, because there was agreement on both sides of politics at that stage after a very poor turnout at one of our elections. The Labor Party still subscribes to the view that we should not try to reduce participation; that we should actually try to increase it.

The background to this legislation with respect to the closure of the rolls is the fact that, compared to past elections, there was a significant number of people who did not get on the roll in the last election. It is estimated that 100,000 Australians who would otherwise have got on the roll did not because of the short time allowed by the previous government’s practices—in that crucial period before election day. With this bill, the first measure the government is introducing is to increase the time for people to have the opportunity to get on the roll after an election is called. These are not devious people; these are not criminals; these are not sneaks. These are people who, for a variety of reasons, have not got around to it.

I thought the member opposite made one of the more fanciful contributions to this debate—talking about people coming out of trucks with boatloads of suits and coats and dressing up and impersonating other people. Quite frankly, this is preposterous. It is ridiculous to think that, in this competitive democracy, political parties have got enough time on election day to have squads of peo-
ple travelling around in trucks and cars impersonating other people. Quite frankly, most people aware of practical politics know that all sides of politics these days find it very difficult to get people to staff polling booths. It is a real challenge. It is like participation in other parts of our society, whether it is the local football club, the parents and citizens organisation or Rotary. People in this day and age participate less. To think that either side of politics has enough people and resources to engage in massive fraud on election day is beyond the realms of possibility.

The other element, of course, is the question of rejected provisional votes. The previous government had massive restrictions on the ability of people to have provisional votes on election day. The rejected provisionals in the last election numbered 143,000 people.

A government member—Quite large.

Mr LAURIE FERGUSON—Yes, it is quite large, as the member says. Let us assume, for the sake of argument, that that huge figure at the last election may have been due to some other aberration. But, if we look at the elections between 1996 and 2004, we see that that is not the case, because between 1996 and 2004 it never reached above 91,000. With this bill, the government is moving to introduce a number of measures to overcome the way in which the previous government sought to deny people participation in our political system and sought to put barriers in the way of people.

The member for Bradfield referred to comments by US President Ronald Reagan—in the way of trusting the verifiers—and the member for Bennelong queried the reason that we would refer to US parallels. Quite frankly, US parallels in this debate are quite reasonable—because what the party opposite are about is driving down participation in this country to the lowest possible levels.

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 parliamentary secretary will have leave to continue speaking when the debate is resumed.

QUESTIONS WITHOUT NOTICE

Home Insulation Program

Mr HUNT (2.00 pm)—My question is to the Minister for the Environment, Heritage and the Arts. I refer the minister to his department’s evidence that, as at 15 February this year, 65 briefings were provided to the minister’s office on the Home Insulation Program. Did any of these briefings raise the Minter Ellison or other safety reports? How many more briefings would the minister have required to realise there was a serious problem with his disastrous home insulation scheme?

Mr GARRETT—I thank the honourable member for his question. I can say to the House that in terms of briefs received by me and of the number in question, I am not going to approximate an absolute recall at this point in time. I am sure the member will understand that. I can say that the risk assessment process informed by Minter Ellison and a number of other assessments undertaken by the department were constituted in those briefs, as was advice on matters that had been raised and identified in terms of risk, and I responded accordingly.

Foreign Affairs: Australian Passports

Mr BEVIS (2.01 pm)—My question is to the Minister for Foreign Affairs. How has the government responded to reports of the misuse of Australian passports? How have successive Australian governments ensured the integrity of Australian passports?
Mr STEPHEN SMITH—I thank the member for Brisbane for his question. His question is in two parts. Firstly, I want to again draw to the attention of the House the remarks I made earlier about the investigation by Dubai authorities of the use of three Australian passports and the investigation that the government has asked the Australian Federal Police to effect. I have reported that matter to the House and I have made public remarks. I do not intend to go through that again, other than to advise the House that, as I indicated publicly, I made representations to Israeli Ambassador Rotem this morning. On the government’s instructions these same representations were effected by Australian officials in Tel Aviv early this morning—sometime between 4.30 am and 5.00 am Tel Aviv time—underlining the point of the Australian government’s seriousness about these matters.

The second part of the member’s question goes to how over a period of time successive Australian governments have worked very hard to seek to ensure the integrity and the sanctity of the Australian passport system. I am not the first occupier of this office or the first member of the executive to make the point that, despite all of the best procedures adopted by Australia for its passport system over the years and despite our world-class reputation, there will still be occasions where our passports can be used by people badly motivated and often with criminal intent. There will be occasions where passport fraud and passport identity lapses occur.

In the particular case that has been drawn to attention today, there were three passports involved and they were issued in 2003. They were from what was called the L series passports. Those passports are valid for 10 years and they are usable Australian travel documents. There are some 200,000 L series passports in existence. The so-called L series passport was introduced in late 2003, and the M series ePassport was introduced in October 2005. This was the first ePassport that included microchip technology for the storage of personal information on the passport. This was regarded as a substantial breakthrough in technology, in integrity and in security. In May last year I launched the so-called N series, the latest of the Australian passport series, which enhances that technology. In terms of the series of passports over the years, there was the L series in 2003 and the M series ePassport in October 2005 and now there is the N series, which I have referred to. People should understand very carefully that no one is suggesting that there is any need to replace old passports. While passport fraud does occur in Australia, there is a low incidence of serious fraud when compared to other countries but when we do find these instances of fraud they are very extensively pursued. As I have indicated, the technology that we use is regarded as world class.

In this matter I have indicated to the Deputy Leader of the Opposition that a briefing on the particular matter is available to her from the AFP and ASIO; the same, I understand, has been offered to the Leader of the Opposition in the usual way. I have seen the Deputy Leader of the Opposition try and make some connection today between this matter and the visa system rollout referred to in the white paper. Whilst both matters go to people movement and the integrity of passport and visa systems, there is no linkage between the two. I just simply make that point.

I was more concerned, frankly, when I read the reference the Leader of the Opposition made this morning at a doorstop. The transcript reads:

QUESTION:
Just on another issue, just with the Australia passport holders, how concerned are you?
Stephen Smith’s calling the Israeli Ambassador to discuss this problem.

TONY ABBOTT:

Obviously I think it is an issue. I think that the security of our passport system is important and I guess I would want to know why the Government hasn’t ensured the security of our passport system. I mean, why didn’t the Government put in place a passport system that could not be subjected to this kind of scamming?

I think the Leader of the Opposition should take up the briefing, and I am very happy to add the Australian Passport Office. I would very gently make this point: the three passports involved were issued in 2003. The last time I looked, Leader of the Opposition, in 2003 you were a minister in a previous government—a member of the executive which oversaw the issuing of that passport. You should think very carefully before you speak on these matters. Successive Australian governments, including my predecessor in 2003, have worked very hard to make sure of the integrity of the Australian passport system and, frankly, Leader of the Opposition, you should know better.

Home Insulation Program

Mr ABBOTT (2.08 pm)—My question is to the Prime Minister. I refer the Prime Minister to the disastrous consequences of fast-tracking his original home insulation scheme. If the new scheme is to be fast-tracked in the same way as the old scheme, and under the same minister, what confidence can the Australian people have that this new solution will be any safer than the original scheme that led to the deaths of four young men, 93 house fires, 48,000 potentially electrified roofs and 240,000 bodgie installations?

Mr RUDD—I thank the Leader of the Opposition for his question, which deals in part with fire-related incidents. Could I draw his attention to the following advice that I have received. That is, before this scheme was introduced, in three states of Australia in the year 2008 there were some 83 insulation related fires. That represented 0.12 per cent of houses experiencing a fire—

Opposition members interjecting—

The SPEAKER—Order! The Prime Minister will resume his seat. The question has been asked, the Prime Minister is responding to the question, the House will come to order.

Mr RUDD—Thank you, Mr Speaker, and I thank the Leader of the Opposition for his question. The question went in part to the relative danger associated with insulation and the link between that and fires, and it went to a range of other matters as well. In response to the Leader of the Opposition’s question, I am advised that in 2008, before the scheme, the percentage of houses experiencing fire related incidents was 0.12 per cent. In 2009, the percentage of houses experiencing a fire as a result of insulation related causes was 0.0085 per cent. Each one of these fire related incidents is one incident too many. Furthermore, whether it is in 2008, 2009 or 2010, the question of household safety is of fundamental importance, the question of industrial safety is of fundamental importance and, of course, the question of workers’ safety is of fundamental importance.

The second part of the Leader of the Opposition’s question goes to the proposed household renewable energy rebate scheme which the government has indicated would be introduced by 1 June this year. The reason the government is spending the period between now and then working through the guidelines associated with that scheme is to deal with the risk management challenges associated with it. The advice that we have from officials is that that represents an appropriate period of time to work that through. As the minister has indicated, there
are a number of reputable firms out there who have been engaged in this industry for a long, long time, and therefore it is important that it be possible for re-registered firms who have a long and safe history in this industry to be able to access the possibility of support through the new scheme prior to 1 June. These are the measures which were referred to yesterday. These are the measures which we propose to engage in in the period ahead.

I conclude my answer to the Leader of the Opposition by saying that it is important to deal with each and every practical challenge which has arisen through the implementation of this program, one of which goes to the impact on workers, which we spoke about yesterday.

Mr Pyne interjecting—

The SPEAKER—Order! The member for Sturt will withdraw.

Mr Pyne—I withdraw, Mr Speaker.

Mr RUDD—On the challenge of health and health care, it is important to note one basic fact. That is, in 2008 around 87 per cent of Australians saw a doctor or a health provider—in other words, this is a mainstream service for the entire Australian community. In fact, Australians make 115 million visits to their local doctor each year and our 768 public hospitals are in the process of providing some 49 million hospital services to the Australian public each year. All Australians want a better health system and a better hospital system for the future.

In the two years that this government have been in office, we have, firstly, increased our investment in the public hospitals of this country by 50 per cent, in contrast to those opposite, who ripped $1 billion out of the system when the current Leader of the Opposition was the health minister.

Secondly, the government, in just two years, has increased the number of GP training places by 35 per cent, compared with the cap imposed on GP training places when the current Leader of the Opposition was the Minister for Health and Ageing for four years.

Thirdly, we the government have also made for the first time direct investments in emergency departments and elective surgery, in the case of elective surgery providing more than 60,000 additional procedures across the nation which would not otherwise have occurred, and the amount directly invested in elective surgery and emergency departments by our predecessors in government was zero.

On top of that, the government has provided new incentives for doctors to work in rural and remote communities where the shortage of doctors is acute. We are also in the process of implementing the establishment of 36 GP superclinics—including the one at Strathpine—including the eight which

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Ms COLLINS (2.13 pm)—My question is to the Prime Minister. What is the government doing to advance reform in the delivery of health care for all Australians?
are fully or partially operational and the 28 for which contracts have been signed, in contrast to the number of GP superclinics established by those opposite, which was zero.

The government has also, in its two years in office, introduced free health checks for every four-year-old to make sure they are fit, healthy and ready to learn when school starts. And on the question of dental care, can I say this: with the introduction of the teen dental program, we are now providing teeth checks for our teenagers—nearly half a million across the country. How many dental services were provided for teenagers by those opposite? Zero. That is quite apart from those opposite having abolished once and for all the Australian dental scheme to look after, in particular, senior Australians who need dental care.

That is what we have done in just two years. The challenge ahead is to deal with the challenges of the long-term future. The Minister for Health and Ageing today launched a campaign to combat illicit drug use across the nation. In 2007 more than one-third of the population aged over 14 years had used an illicit drug at least once in their lifetime. That is a stunning statistic. Among 14- to 19-year-old children, regular ecstasy use has rocketed in the last 10 years from less than one in a hundred in 1998 to nearly one in six in 2007. These are disturbing statistics. The government’s campaign will help tackle drug use through a wide range of media which will expose young people to the true physical and psychological impacts of drug use.

I conclude on the question of health policy by simply saying this: to fund the system for the future, you need to have a secure source of long-term revenue. What those opposite have done by blocking reforms to the private health insurance scheme is deny the investment of some $2 billion into our hospitals of the future. That is across the forward estimates. Expenditure on the PHI rebate is projected to grow at nine per cent a year over the 10 years from 2012-13 onwards, adding a cumulative $33 billion to spending over the next decade. Our reforms are fair, they are principled and they go to those who most need them, as opposed to private health insurance subsidised by the taxpayer for people on $200,000, $300,000 and $400,000 a year, like the Leader of the Opposition and myself, who do not need it.

Therefore, for the future this country will build on the health and hospital reforms that we have undertaken in the two years we have been in office already. This will be a big year for health and hospital reform. Australia needs better health and better hospitals. This government will get on with the business of delivering that for all Australians across our country.

Home Insulation Program

Mr SCHULTZ (2.18 pm)—My question is to the Prime Minister. Prime Minister, at least 24 per cent, or nearly 240,000, of the one million homes insulated under the disastrous home insulation scheme are now known to have faulty and unsafe insulation installed. Why does the Prime Minister’s inspection program only include 15 per cent of these one million homes?

Mr RUDD—I thank the member for Hume for his question. I am certain he is also asking that question based on the interests of his constituents. Firstly, I would say in response to the honourable member’s question that the government will check as many Australian homes as is necessary. Secondly, I would say in response to the honourable member’s question that householders who have foil insulation can get their homes checked right now and do so at the government’s expense. Every householder can right now contact a licensed electrician to conduct a safety inspection of their home.
holders will not be put out of pocket for any inspection or rectification works because the electrician will be paid directly by the government. Thirdly, this is available to any household right now.

In terms of non-foil insulation, can I add to my answer to the question posed by the member for Hume. Most of the installations of non-foil insulation—that is, pink batts—were conducted by reputable firms. I am advised that there, of course, have been a number of shonky operators who have done substandard installations. I am advised that more than 92 per cent of roof inspections have identified no safety issues whatsoever and that this is 92 per cent of a sample partly targeted to identified risks in the community. The government will target these homes for inspection first. This risk based audit will be extended further if necessary to any segments of household deemed to be at risk. As I said yesterday, any individual household that, having obtained an inspection by a re-registered home insulation installer, is not happy with that can contact the government direct and a further inspection will be undertaken.

As for the future, the standards which will apply forward for insulation installers will be as follows: all installers will be required to be reregistered, all will be required to pay a cash bond, all will be required to show evidence of meeting the training and skills requirements which the government has established and all will be required to provide certified quality assurance and occupational health and safety plans. That is the advice that I have received.

I would also, in response to the member for Hume, add this to my answer concerning the standards which apply to the industry, both for training and quality. Under the Home Insulation Program, the government introduced more regulation to the industry than had applied ever before to the insulation industry: firstly, the first national skills requirements for installation contractors; secondly, the first accredited training courses for installers to be put in place; and, thirdly, the first occupational health and safety standards for the insulation industry.

I say to the member for Hume, in terms of dealing with the practical problems on the ground for his constituents and the constituents of other members here: we will deal with each of these practical problems as they arise, both for workers, for installers who run good companies, as well as for householders and the concerns they have. I look forward to any representations from the member for Hume or any members opposite in terms of particular concerns in their electorates.

Health

Ms KING (2.22 pm)—My question is to the Minister for Health and Ageing. What are the latest developments in the rollout of the government’s GP superclinics and what has been the community’s reaction?

Ms ROXON—I thank the member for Ballarat for her question, particularly because she has one of the GP superclinics in her electorate, but also because I understand that the Daylesford University of the Third Age is with us in the gallery today. I hope you enjoy your experience here in the parliament. You have a very good member of parliament.

Last week I was pleased to be able to visit Ballan to be able to have a look at how the Ballan superclinic is going from strength to strength. I can tell the parliament that more than 17,600 people have presented at the Ballan superclinic since it opened late last year. Such is the demand for, as an example, optical services, which have not been provided in the community before, that they are now being offered weekly instead of monthly. Last month, as a number of people
in this House would be aware, I officially opened Queensland’s first superclinic at Strathpine. This $2½ million superclinic has been delivered two months ahead of schedule. Members of the Strathpine community are now enjoying increased access to primary healthcare services, Medicare-eligible services are being bulk-billed and multidisciplinary care, on offer at the clinic, is available seven days a week.

Mr Dutton interjecting—

Ms ROXON—I notice that the member for Dickson is interjecting. He might be interested to raise his objections to the GP superclinic with two of his constituents, Lisa and Olivia Graham, who gave the superclinic the thumbs up in the Northern Times, one of the local papers. After having called five medical centres, the only place that was open and willing to treat Olivia, after she injured herself on Sunday, was the Strathpine superclinic. Mrs Graham says that, without the superclinic:

… we would have sat for hours in emergency …

In the same article, superclinic director, Dr Evan Jones said that each weekend the clinic is:

… treating 120-130 patients who otherwise are likely to have turned up at emergency wards.

This passes the common-sense test in the community—that, when 60 per cent of Australians are finding it hard to access a GP after hours, these sorts of services can provide more support.

Mr Randall—Where are the rest?

Ms ROXON—Those opposite are asking for updates about other superclinics, which I am more than happy to provide to them. Across the country, 29 contracts have been signed. I have mentioned the state-of-the-art superclinic in Ballan in the member for Ballarat’s seat. I have mentioned the thumbs up that the mum gave to the Strathpine superclinic and I can also talk to you, for example, about the services that are being provided at seven other sites, including Palmerston in the member for Solomon’s seat. The superclinic there is still on track. Actually, when I was there a couple of weeks ago—

Opposition members interjecting—

Ms ROXON—Those opposite might like to call out, but the member for Solomon, the local mayor and I inspected the enormous superclinic there which is growing daily and is obviously good for community members there. Perhaps people might be interested in the interim services that are being provided in the member for Riverina’s electorate. Services are already being provided there. Other sites include Lake Macquarie, Devonport, Bendigo and the Blue Mountains. Construction and infrastructure is underway at 12 sites. I know that the member for Leichhardt was very pleased when the superclinic site there was chosen and work has commenced on that. I know that the member for Eden-Monaro was delighted—not only has a green light been given for the local superclinic but, this Monday, he was there when demolition was started to make way for the construction of the superclinic. I know that the member for Corio and the member for Corangamite are delighted that superclinic work has started—this is a report from October last year—and that their construction is going very well.

I would also like to report to the House that university involvement in the superclinics has been astounding. There are 28 sites which have universities as part of their construction—

Opposition members interjecting—

The SPEAKER—Order! The member for North Sydney and the member for Sturt will come to order.

Ms ROXON—It is very interesting, amongst the cat-calling, that the member for...
Parkes and the member for Wannon are being particularly quiet. They are two members who lobbied hard for their electorates to be added to the superclinics program. Although it may take time, they are very delighted that their electorates are getting these services. The point I was about to make was that the members for Corio and Corangamite are no doubt very pleased that Deakin University—

Opposition members interjecting—

The SPEAKER—Order! The members for North Sydney and Sturt are warned.

Ms ROXON—has recently announced that, for the first time, they have appointed a chair of general practice who will be placed at the Geelong clinic. They see this as an important development in how we will train health professionals for decades to come. In just two years, we are changing the way services are provided and the way healthcare professionals will be trained. That is a record we are proud to stand by.

Mr Laming—Do you need your superclinics insulated? I know a couple of blokes—

The SPEAKER—The member for Bowman will leave the chamber, yet again, for one hour.

Mr Laming—They may be the standing orders, Mr Speaker, but we want to know what the marching orders are for this minister.

The SPEAKER—I name the member for Bowman.

Mr ALBANESE (Grayndler—Leader of the House) (2.29 pm)—I move:

That the Member for Bowman be suspended from the service of the House.

Question put.
The House divided. [2.33 pm]
(The Speaker—Mr Harry Jenkins) Ayes............. 80

Noes............ 59
Majority........ 21

AYES

Adams, D.G.H. 
Bevis, A.R. 
Bird, S. 
Bradbury, D.J. 
Burke, A.S. 
Byrne, A.M. 
Champion, N. 
Clare, J.D. 
Combet, G. 
D’Ath, Y.M. 
Debus, B. 
Elliot, J. 
Ellis, K. 
Ferguson, L.D.T. 
Fitzgibbon, J.A. 
Georganas, S. 
Gibbons, S.W. 
Gray, G. 
Griffin, A.P. 
Hall, J.G. * 
Irwin, J. 
Kelly, M.J. 
King, C.F. 
Macklin, J.L. 
McClelland, R.B. 
McMullan, R.F. 
Murphy, J. 
O’Connor, B.P. 
Parke, M. 
Plibersek, T. 
Raguse, B.B. 
Ripoll, B.F. 
Rudd, K.M. 
Shorten, W.R. 
Smith, S.F. 
Sullivan, J. 
Symon, M. 
Thomson, C. 
Trevor, C. 
Vamvakinou, M.

NOES

Abbott, A.I. 
Bailey, F.E. 
Billson, B.F. 
Bishop, J.J. 
Broadbent, R. 
Ciobo, S.M. 

Adan, A.N. 
Bidgood, J. 
Bowen, C. 
Burke, A.E. 
Butler, M.C. 
Campbell, J. 
Cheeseman, D.L. 
Collins, J.M. 
Cree, S.F. 
Danby, M. 
Dreyfus, M.A. 
Ellis, A.L. 
Emerson, C.A. 
Ferguson, M.J. 
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. 
McKew, M. 
Melham, D. 
Neumann, S.K. 
Owens, J. 
Perrett, G.D. 
Price, L.R.S. 
Rea, K.M. 
Roxon, N.L. 
Saffin, J.A. 
Sidebottom, S. 
Snowdon, W.E. 
Swan, W.M. 
Tanner, L. 
Thomson, K.J. 
Turnour, J.P. 
Zappia, A.
Question agreed to.

The SPEAKER—Order! The member for Bowman is suspended from the service of the House for 24 hours.

The member for Bowman then left the chamber.

Home Insulation Program

Mr ABBOTT (2.35 pm)—My question is, again, to the Prime Minister. I refer the Prime Minister to his earlier answer regarding the Home Insulation Program. I ask the Prime Minister: is he really telling Australians that four deaths, 93 additional house fires and 1,000 deadly, electrified roofs is an acceptable price to pay for insulating one million homes?

Mr RUDD—I would say to the Leader of the Opposition that any industrial death in Australia is one death too many. I would say to the Leader of the Opposition that any industrial accident, of which there are 138,000 in Australia each year, is one accident too many, and those are the ones that involve serious injury. These are challenges which governments of the day have to deal with and we have to reduce these, including in this sector. These four absolute tragedies are extreme, human, personal tragedies for the families concerned.

As I said in response to an earlier question from the Leader of the Opposition, the challenges the government faces in dealing with this program and the Renewable Energy Rebate Program of the future are, firstly, to wrestle with the challenges faced by households—and they are real challenges—secondly, to deal with the real practical problems faced by workers losing their jobs and, thirdly, to deal with those concerns which members here and on the other side of the House have raised in relation to firms.

I would also draw the Leader of the Opposition’s attention to the response I gave, I think, to the question from the member for Hume before in terms of the results of the initial survey work done by the government in relation to those homes which were identified to be most at risk at this stage. There is much more work to be done, but the government intends to get on with the business of doing it.

Economy

Mr GEORGANAS (2.37 pm)—My question is to the Treasurer. What do this week’s data releases say about the Australian economy and how do they relate to what key economic commentators are saying about the state of the recovery?

Mr SWAN—I thank the member for Hindmarsh for his question, because there is more evidence this week in the economic data that economic stimulus has played a role in supporting jobs and, in particular, in supporting small business through this global recession. Yesterday’s data on construction work done showed that the government’s infrastructure stimulus was helping to offset
the weakness in private activity. Everybody on this side of the House acknowledges the role that the stimulus is playing in supporting small businesses in their suburbs, in their towns and in their regions. It is terribly important at the moment because private non-residential construction activity fell by more than 20 per cent over the past year. But that has been offset by an increase of 42 per cent in public construction activity. That is what is so important at the moment, that is what is underpinning confidence and, of course, that is what is opposed by those opposite.

If they had their way there would be tens of thousands of tradies out of work, and tens of thousands of small businesses would hit the wall. That is what these figures today show, because it is these shovel-ready projects that are supporting employment in small business. This is what the Commonwealth Bank economist James McIntyre had to say today, and it is a very important point: The public sector construction component of the stimulus package was designed to kick in with a lag as private sector construction activity fell away in response to the confidence shock of the global financial crisis. The timing and effectiveness of that design is evident in the fourth quarter of 2009. Effective public sector stimulus has kept overall activity from declining significantly.

That is very important, but it is not understood by those on that side of the House and not understood by the Leader of the Opposition, who finds economics boring.

Today we have also had the capex figures. They show that stimulus, again, is promoting activity. Private sector investment in equipment, plant and machinery rose by 12.4 per cent in the December quarter—again, welcomed on this side of the House. But most importantly, the ABS specifically pointed to the positive impact of the government’s small business tax break in today’s figures, noting that a large number of businesses reported they had taken up the scheme—further evidence of the importance of stimulus.

Of course in the last week we have had the IMF, the OECD and the World Bank all supporting the government’s position on stimulus and, of course, all of them have rejected the position of the opposition. So the shadow Treasurer has got it wrong, and has been proven wrong, by those three organisations this week.

It is pretty true to say that the coalition economic team have had a shocker this week. This was demonstrated by a media release put out by the shadow Treasurer a couple of days ago. It really warmed my heart, because the lead paragraph referred to his fairy name, Tinkerbell. Thanks for reminding everybody in the country, Shadow Treasurer! Thanks for reminding us of that.

In that press release, the member for North Sydney quotes me accurately—as it appears—pointing out that the RBA governor has clearly rejected any link between current spending and interest rates, and he has. That is denied by those opposite. But he then goes on to claim, and quotes me from some time ago, where he says I denounced excessive spending in the latter years of the Howard government, as if there were some contradiction. The problem here is that the shadow Treasurer and those opposite do not understand the difference between spending in a global recession when rates are at 50-year lows, and spending at the height of a boom when rates are 350 basis points higher. How economically illiterate can you get?

The position put by those opposite has been repudiated by the Reserve Bank governor. He said this last Friday:

This is a normal experience in an economic expansion: as economic activity normalises interest rates do the same …

So why is it that we are getting such erratic behaviour from those opposite? I think we
got a clue on ABC Sydney 702 this morning. We got a rare insight into the shadow Treasurer. There was a call to the program of Adam Spencer:

Spencer: Helen’s on the line. How are you, Helen?
Helen: I’m very well, Adam, how are you?
Spencer: I’m very well, thanks. What would you like to ask?
Helen: I’m sure the champion bogong moth eater at St Aloysius was none other than Joe Hockey. I think we know why he is so erratic. He has been eating too many bogong moths. This is what the CSIRO—

Mr Randall—Mr Speaker, I rise on a point of order. My point of order is relevance: how can eating bogong moths be relevant to an economic debate?

The SPEAKER—It is a very good question. The Treasurer has the call, but he will conclude his answer.

Mr SWAN—It is yet another example which demonstrates why we have got the worst opposition frontbench in Australian history. This is what the CSIRO says about bogongs:

They prepare for summer by building fat reserves (up to 60 per cent of their bodyweight).

Home Insulation Program

Mr ABBOTT (2.45 pm)—My question is to the Prime Minister. In the light of his previous answer, I ask the Prime Minister: will he now personally apologise to the families of the four young men who have died in connection with the government’s Home Insulation Program.

Mr RUDD—One of the families has contacted me and I have written a letter to that family. That was entirely appropriate given the sentiments expressed by the family concerned. Secondly, each of these families is experiencing great tragedy and any death in this industry or any industrial death is one death too many for the nation. Certainly, for the families concerned they are all unspeakable tragedies. There are 300 industrial deaths in this country each year.

I would also say in response to the Leader of the Opposition that any such death is a matter of profound regret to all concerned Australians, including me and including the government. The key challenge is to get on with the business of establishing the facts concerning each of these industrial deaths. The coronial inquiries, the WorkCover related inquiries and the Electrical Safety Office inquiries are all the properly constituted bodies to establish the facts concerning each of these tragedies. That is the case with practically all industrial accidents which occur in this country. I believe it is important to allow those processes to continue. I believe they are best done in a spirit of calm deliberation. It is regrettable that any deaths occur, including these four tragedies.

Indigenous Affairs

Mr HALE (2.47 pm)—My question is to the Minister for Families, Housing, Community Services and Indigenous Affairs. What is the government doing to improve living conditions in the Alice Springs town camps?

Ms MACKLIN—I thank the member for Solomon for his question. I would say all members of this House, but the member for Solomon and the member for the Lingiari particularly, understand just how significant the need is in many remote Indigenous communities in the Northern Territory. That is why we have persevered in the Alice Springs town camps and got the deal that has been long needed to make a start on improving the living conditions for Indigenous people who live in those town camps.

Work has now started in these town camps but we do have an enormous amount to do as we work with local Aboriginal people to confront what remains one of the most disadvan-
taged places in our country. Just last Monday both the member for Lingiari and I were in Alice Springs and we went to one of the town camps, Larapinta Valley. We visited one of the building sites for the new housing that has now started in that town camp and we were able to see the work that is underway. We met the woman and some of the children who are going to be moving into this house. They are very pleased because at the moment they are living next door in very cramped and overcrowded conditions—there are two adults with six children living there—and they are very much looking forward to being able to move into their new home.

One of the very important parts of this task that we have embarked on is that we have set ourselves and the contractors the requirement that there will be local Aboriginal employment. We were able to meet with 12 of the Aboriginal men who are now engaged in building these homes in the town camps. They have been trained as trade assistants and they are now working on site. It felt like 40 degrees in the shade; nevertheless, people were out there starting to get the formwork ready for these new houses. I think everybody here would recognise just how important it is that we have local people engaged in getting a job and holding down a job. It was significant to see the pride already being taken by the people who are employed to build these houses. All of us know and they now know just how critical it is for parents to have a job, to go out each day and to be the role models that they want to be for their children. What we want to do is see more and more Aboriginal people in the Northern Territory getting jobs as part of our housing program.

Across all of the camps in Alice Springs now all of the clean up and the ‘fix and make safe’ work has been completed. Although it may not seem a big deal for everybody in this chamber, one of the things that has also been achieved is that we are now starting a regular weekly rubbish collection. Wheelie bins have been delivered and a normal weekly rubbish collection will now start. The other works completed, which are very significant, are the installation of temporary accommodation facilities, sewer inspections, site surveys, geotechnical testing—all of this work is now well and truly completed. Additional family support programs, alcohol abuse programs and managed accommodation for visitors to the town are also underway.

One of the other very significant developments at one of the town camps, Ilpeye Ilpeye, is that as a result of the changed tenure arrangements we are now able to sit down, as we did on Monday with the local residents, and talk about the possibility of homeownership. These are very significant changes for the residents of Ilpeye Ilpeye and, although it is a big challenge for all of us, we are able to do so because of the trust that we have in each other. There is an enormous amount more to be done in the Alice Springs area, particularly in these town camps, but with the goodwill that is now very much evident between the residents, both levels of government and the town council we are able to get on with the job that has been a very long time coming.

Home Insulation Program

Mrs GASH (2.52 pm)—My question is to the Prime Minister. Given that it might take five years to complete the inspections arising from his failed home insulation scandal, is the Prime Minister planning to compensate homeowners whose homes catch fire as a result of faulty or substandard insulation which voids their insurance policies?

Mr RUDD—I thank the member for Gilmore for her question. I know she would have asked it in relation to the concerns of
her constituents. The first thing I say in response to the honourable member’s question is that the advice that we have received is that more than 92 per cent of roof inspections have identified no safety issues whatsoever—and that is 92 per cent of a sample partly targeted at identified risk areas. I simply emphasise that point. The second thing I say in response to the honourable member’s question is that the inspection process, which can be activated by concerned members of the public, involves whether the installing company have been reregistered by the government because they are good performers with a good industry track record. Then they would conduct that inspection in the first instance. That is the first point.

Secondly, if under any circumstances a member of the public is unhappy with that company either doing that work or having conducted it found that it is not to their satisfaction, they are open to the recourse of having the government provide a different person to make that check. On the rest of the provisions concerning individual liabilities—

Mrs Gash—A point of order on relevance, Mr Speaker: I specifically wanted to know about voiding the insurance policies.

The SPEAKER—Order! The member for Gilmore will resume her seat. The Prime Minister is aware of the question and is responding to the question.

Mr Rudd—The nature of my response to the honourable member’s question was to put the actual inspection process into its proper context. Secondly, the honourable member asked questions concerning individual households and the applicability of insurance policies. As the honourable member would be familiar with, that would be entirely dependent on the nature of each individual’s circumstances and each individual household.

Honourable members interjecting—

Mr Rudd—The nature of my response to the honourable member’s question was to put the actual inspection process into its proper context. Secondly, the honourable member asked questions concerning individual households and the applicability of insurance policies. As the honourable member would be familiar with, that would be entirely dependent on the nature of each individual’s circumstances and each individual household.

The SPEAKER—Order! I remind some of the people that are making comment—obviously talking to themselves because it would be outside standing orders if they were not doing that—that they have been warned.

Solar Flagships Program

Mr Danby (2.55 pm)—My question is to the Minister for Resources and Energy and the Minister for Tourism. What progress has been made with the Solar Flagships program and how will it contribute to Australia’s carbon reduction targets?

Mr Martin Ferguson—I thank the member for Melbourne Ports for his question because it is about a practical approach to how we as a nation move forward to a low-emission economy. In that context, whilst we remain in a state of waiting for the outcome of the complex debate in the Senate about how we put a price on carbon, the government moves forward with a key focus on the issue of technology. It is in that context that I remind the House that one of the key components of the government’s budget last year was a $4.5 billion clean energy initiative. Central to that is a focus on carbon capture and storage. I also remind the House of key grants in areas such as trying to facilitate the development of a geothermal industry in Australia.

That takes me back to a key component of the clean energy strategy, the government’s $1.6 billion commitment to the Solar Flagships program, which is about bringing forward in a great leap the commercial deployment of solar energy in Australia. The program itself represents potentially the biggest commercial deployment of solar energy in the world—

Mr Hunt—It was 1,000 megawatts, wasn’t it? What is it now?

Mr Martin Ferguson—As the member for Flinders reminds me, this gov-
ernment is doing something that the Howard government failed to do—that is, trying to target the introduction of 1,000 megawatts of electricity generation from solar capacity. Hopefully, as a result of this program we will put four on-grid solar power stations in the commercial energy market, aimed not only at the commercial deployment of solar energy but also at a potential breakthrough on storage capacity which is central to the development of renewable energy in Australia.

On that question, I was fortunate enough last Saturday to visit King Island with the member for Braddon where the government is focused on not only major on-grid solar energy development but also standalone small-grid capacity which is so important to remote areas of Australia. I saw on King Island an Australian government contribution of $15.2 million through the government’s Renewable Energy Demonstration Program for a standalone grid operation bringing together solar, biomass and wind power aimed at both peak and base load capacity. This is potentially a very important project for King Island and also for Australia, especially remote communities.

In the context of where we are going on the major Solar Flagships program, a world first, I am pleased to say that the government has now completed calling for interest in the first round aimed at targeting 400 megawatts of grid connected solar generation which closed on 15 February. I am pleased to report to the House that my department has received a total of 52 applications representing significant interests by state and territory governments and the business sector in this key clean energy initiative. The department’s association with a committee of technical experts selected to assess these programs will now go forward with the initial assessments. I am delighted to report to the House that the quality of the applicants is exceptionally important, going to not only the potential testing of solar thermal but also potentially testing on-grid solar PVs.

It also brings me to the question of the energy system in Australia, which requires certainty. We clearly have a responsibility to invest in technology, but in terms of actually resolving our energy questions there is also a primary need to resolve the debate about a price on carbon. I simply say that, from the point of view of the energy ministerial council of Australia, this is an issue of major significance because we have potentially $100 billion in new investment to maintain the reliability of the existing system over the next decade, which confronts the business sector, state and territory governments and the Commonwealth in Australia.

In that context, I simply say to the House that the greatest risk to actually achieving that $100 billion in investment is the coalition, and that goes to decisions for investment in new generation—investments we actually require to ensure reliability of the electricity system in Australia. I understand from the nature of the ministerial council that, in terms of some of these investments, time is running out. I say that because we are fast approaching a significant reduction in the reserve base- and peak-load capacity in Australia, which potentially raises serious questions about energy reliability at particular times of the year.

So I raise for the proper consideration of the Australian community the requirements not only to support the Australian government’s clean energy strategy, including the solar energy strategy, but also to send a message to the coalition in no uncertain terms that they are the biggest risk to the reliability of the electricity system in Australia because without a price on carbon we will not attract the necessary investment to guarantee the operation of the system in the years to come. I say in conclusion that it is exceptionally
important that we continue to proceed to make the necessary technological breakthroughs to ensure the commercial deployment of renewable energy on a large scale and, in doing so, to make practical endeavours to reduce greenhouse emissions in Australia.

Home Insulation Program

Mr BALDWIN (3.01 pm)—My question is to the Prime Minister. Prime Minister, I refer you to a constituent of mine, Mr Ron May of Insulmaster, who now faces the prospect of having to sack 28 of his workers and who, in good faith, purchased $630,000 worth of stock that is now idle. While you claim, Prime Minister, that your solution will solve all of his problems, when will Mr May be paid an amount of $239,817.54 in unpaid rebates from your government, dating back to July 2009? Prime Minister, how does this fit in with your promise on your nation-building home insulation fact sheet for installers, where in step 3 you say the government will pay insulations within 14 days? I seek leave to table this fact sheet, which has now been removed from the government’s website.

Leave not granted.

Honourable members interjecting—

The SPEAKER—Order! The member for Paterson will resume his seat. The question is in order.

Mr RUDD—I thank the member for Paterson for his question and the interest that he raises here on behalf of a constituent and an insulation company. If I take the member’s statements to the House at face value and if they are accurate then they would reflect unacceptable treatment of the firm concerned. Therefore, the Commonwealth should be in the business of making sure that its bills are paid on time. Therefore, under the circumstances raised by the member, if they prove to be accurate then action will be taken to ensure that our contractual obligations are met.

Secondly, in response to the other part of the honourable member’s question, which goes to the specific circumstances of the firm and the financial pressures which the firm is under as a result of the government’s decision to abolish this program—as called for by the opposition, including the honourable member himself—I would draw the honourable member’s attention to the three specific sets of measures outlined in the government’s statement yesterday on support for individual workers. That is relevant to firms and their ability to retain workers as well.

Thirdly, in terms of transitional assistance for firms affected by this decision on the part of the government, we are still working through, with the industry, other appropriate forms of transitional assistance. But I would return to the initial part of my answer, which dealt with the concerns which the member has raised about bills not being paid on time. If that proves to be accurate, as I said, that is unacceptable and we will attend to ensuring that it is rectified as a matter of urgency.

Economy

Mr SIDEBOTTOM (3.04 pm)—My question is to the Minister for Finance and Deregulation. Minister, why is foreign investment important for job creation and economic development? Further, why is it vital that those seeking to undertake responsibility for managing the Australian economy and government finances maintain confidence in Australia’s economy?

Mr TANNER—I thank the member for Braddon for his question. Foreign investment is very important for Australia’s economy, particularly for creating jobs and generating wealth, and it has always been important for our economy. Foreign investment adds to the pool of investment in our economy, it adds to jobs, it adds to economic activity—it does
not displace it—and Australia has always been a major capital importer in order to drive growth and job opportunities.

It is therefore vital that we maintain international confidence in Australia’s economy—absolutely crucial. I note with some pride in Australia—and I would like to think that the people on the other side would join me in this—that the OECD report on Australia’s regulation and economy released last week broadly indicates that Australia is a role model for other countries in this regard.

Unfortunately, not everybody who seeks to manage Australia’s economy and public finances understands the importance of foreign investment and the importance of maintaining confidence in Australia’s economy. This week the shadow finance minister, Senator Joyce, in fact raised doubts publicly about Australia’s ability to repay its foreign debt—essentially private debt contracted to invest in Australia. I am not quite sure that, when he made these comments, he actually knew what he was talking about, because in these comments he referred to a new economic concept, the concept of ‘gross net debt’, which is something that was unknown to the world of economics until the shadow finance minister raised it. For his information, and for any others who are confused about these concepts, ‘gross’ is what I owe and ‘net’ is what I owe minus what I am owed. That is a simple statement for Senator Joyce of the difference between these two concepts. I note that the shadow Treasurer, the member for North Sydney, very quickly distanced himself from this new economic principle that Senator Joyce had announced.

Senator Joyce has, of course, had a rather interesting week. When at the beginning of the week I noted in the House that he appeared to have gone a bit quiet and I joked that maybe he had been abducted by aliens, he felt the need to put out a press release demonstrating that he had not been abducted by aliens. It is a true story. I know it is pretty bizarre, but it is true. In fact, the press release was headed ‘Aliens’. He felt obliged to point out that the evidence to disprove this suggestion was that he had put out two press releases in the last 24-hours and, therefore, the alleged abduction had not occurred. I am prepared to take it at face value that he has not been abducted, but they may have taken over his body!

I note he also described a major government economic policy this week as ‘a farcical, poisonous piece of pathos’. That is a tongue twister to rival all tongue twisters. I am not quite sure yet what it means; nonetheless he is having a go. This drivel may at one level be entertaining, but for Australia it is very serious, because international markets are, as we all know, fragile. The global economy is still fragile. The attitudes that international investors have to Australia’s economy and to the state of our finances, both private and public, are critical to the price of capital that private investors have to pay. They are critical to the value of the Australian dollar. They are critical to generating jobs. They are critical to generating economic growth. Any suggestion that Australia will be unable to pay its foreign debt in the future is simply playing with fire. If such a statement had been made by a finance minister or treasurer, positions that Senator Joyce and the member for North Sydney aspire to hold, the ramifications would have been extremely serious for Australia.

In conclusion, I would like to make several things plain. As the Reserve Bank governor has stated clearly, the Australian government debt is low, it will remain low and the Australian government can comfortably repay that debt in the future. Second, the Australian government is committed to both getting the budget back into surplus as quickly as possible and repaying that debt.
Thirdly, Australia’s foreign debt is entirely sustainable and is driving growth and jobs. I remind the opposition that if they want to enter into a debate about our foreign debt they need to recall the fact that the most recently published figure for Australian foreign debt as a percentage of GDP was actually slightly lower than the figure that they left us when they left office. If you want to treat Senator Joyce’s claim seriously then he is attacking the legacy that the Howard government left this government. The truth is that both government debt and foreign debt are entirely sustainable and Senator Joyce is off the planet.

Home Insulation Program

Mr CIOBO (3.10 pm)—My question is to the Prime Minister. Would the Prime Minister explain to the group of fired insulation workers seen on the front page of the Gold Coast Bulletin why they have lost their jobs despite your so-called solution yet the discredited and failed Minister for the Environment, Heritage and the Arts keeps his job?

Mr RUDD—I thank the honourable member for his question. The decision by the government to abolish the Home Insulation Program was in the first instance called for by those opposite as well as others in the country. Secondly, I say to the honourable member in response to his question that, that decision having been taken and with the employment consequences and industry consequences flowing, those opposite now talk about the employment consequences as if it has been a continuing concern of theirs. I also say in response to the honourable member’s question that the package of measures announced around the insulation workers assistance plan yesterday applies to all employees of the industry. The government, in embracing the measures that we took forward through the nation-building and stimulus strategy generally, had the interest of employment and job creation at its heart.

Mr Ciobo—I seek leave to table the front page of the Bulletin.

Leave not granted.

Infrastructure

Mr BRADBURY (3.12 pm)—My question is to the Minister for Infrastructure, Transport, Regional Development and Local Government. What reforms are the government putting in place to address underinvestment in infrastructure and boost national productivity, and how does this compare to past approaches?

Mr ALBANESE—I thank the member for Lindsay for his question; it is indeed two years this week since we as the government introduced our legislation to create Infrastructure Australia, fulfilling yet another election commitment. Infrastructure Australia got to work immediately.

Mr Hockey interjecting—

Mr ALBANESE—Indeed, the member for North Sydney, who has already been warned, knows full well that Infrastructure Australia go to work immediately.

Opposition members interjecting—

Mr ALBANESE—we created the first national audit of infrastructure.

The SPEAKER—Order! The House will come to order. The minister has the call. He will be heard in silence.

Mr ALBANESE—we created the first pipeline of projects. We introduced new policy and guidelines—

Honourable members interjecting—

The SPEAKER—Order! The minister will resume his seat. The House need not get excited about concepts of dobbing. The member for North Sydney knew the predicament he was in and did the right thing.
The minister has the call. The minister will be heard in silence.

Mr ALBANESE—Infrastructure Australia has brought together the three tiers of government with the private sector to advise the government on investment but also on regulatory and policy reform. Today we announced another milestone has been reached in our commitment to have single national transport regulators by 2013. This is important microeconomic reform that will have significant productivity benefits.

Opposition members interjecting—

Mr ALBANESE—Those opposite dismiss this. They could not do it. They could not even try to do it in 12 years. We have replaced nine heavy vehicle regulators with one, replaced seven rail safety regulators with one and established a single national maritime safety regime. Today we announce that the Queensland government will host the future national heavy vehicle regulator. It is now setting up a project office to draft the necessary legislation and delivery arrangements. This will produce one set of rules delivered consistently—a one-stop shop for trucking companies to access the road network and a national centre to drive improvements in productivity.

Opposition members interjecting—

Mr ALBANESE—Those opposite dismiss this reform, because they simply forgot about the productivity agenda during their last period in office. They may have their position, but the conservatives around the country do not agree with them. The New South Wales opposition has promised to introduce Infrastructure New South Wales. The Tasmanian opposition are running in the Tasmanian election on introducing Infrastructure Tasmania. Infrastructure Australia visited New Zealand to help the incoming conservative government establish a similar body in New Zealand. Elsewhere around the globe, the UK government have announced the creation of Infrastructure UK. All of these bodies have been created based on the model established here in Australia. That model has led to real investment—record investment, in road and rail. It is not acknowledged by those opposite. Indeed the shadow finance minister had this to say:

Can you take me to the area where the massive new sort of rail infrastructure is or can you take me to the area where the major roads are. They’re not there, and the money is gone, but we’ve got nothing for it.

That is the attitude of those opposite. I say to them: go to the Ipswich Motorway, go to the Bruce Highway, go to the Pacific Highway, go to the Hume Highway and go to the national rail network, which now exists from Perth to Brisbane for the first time as a result of the economic stimulus plan of this government. They simply do not get it. That is why, in Senate estimates a couple of weeks ago, they asked no serious questions about infrastructure and they did not ask a single question about the national port strategy or the national freight strategy that Infrastructure Australia is delivering; they did spend half an hour asking about the number of pot plants in my office, because that was the priority of those opposite, because they simply do not take the infrastructure challenge of this country seriously.

Cape York: World Heritage Listing

Mr TRUSS (3.18 pm)—My question is to Minister for the Environment, Heritage and the Arts. Will the minister guarantee that Cape York will not be put on the tentative World Heritage listing without the consent of the Indigenous people of Cape York?

Mr GARRETT—I thank the honourable member for his question. Given the record of those opposite on questions of providing Indigenous people with the opportunities to fulfil their aspirations, I am happy to take a
question from them. If the honourable member had been paying any attention at all to the public statements by this government in respect of the World Heritage nomination, he should be well aware that the government has always made it perfectly clear that any negotiations going forward in terms of tentative listing are dependent upon the full consent and participation of Indigenous people in Cape York, and that is as it should be.

**Workplace Relations**

Mrs D’ATH (3.19 pm)—My question is to the Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion. What have been the recent comments about industrial relations policy, and what would be the implications for Australian workers?

Ms GILLARD—I thank the member for Petrie for her question, which I think is a very relevant one on a day when we have been treated to the remarkable spectacle of the party of Work Choices pretending that it cares about working people. On this side of the House, we will always stand for the principle of ‘a fair day’s work deserves a fair day’s pay’ and we will always stand for the principle that it is vital for working people to be able to get jobs, which is why we moved quickly and decisively to stimulate employment in the Australian economy during the global financial crisis and the global recession. Whereas, despite all of their feigned concern for working people, sitting opposite us is the party of Work Choices, the party that did not support economic stimulus and did not support Australian jobs. If they had had their way, more than 200,000 extra Australians would be out of work today.

I am asked about recent commentary on industrial relations. I have studied recent commentary on industrial relations and am therefore in a position to tell the House—as remarkable as today’s spectacle has been—about something even more remarkable. Of course, we know that the current Leader of the Opposition is the fourth person to lead the Liberal Party in two years. But I have discovered from looking at recent commentary that there are actually two Leaders of the Opposition at the moment. There are two Tonys, and the two Tonys say quite different things depending on the audiences that they are talking to. So, last Tuesday, when the Leader of the Opposition was out in the full glare of the press cameras, knowing that he was speaking to the Australian people, he said, ‘Work Choices is dead.’ He was full of reassurances—‘Work Choices is dead.’

But there is another Tony Abbott, another Leader of the Opposition, and this is the Leader of the Opposition who was speaking at a Chamber of Commerce and Industry lunch in Brisbane. When he thought he was amongst friends and thought he was talking to employers, he thought he could get out the truth. In those circumstances, the Leader of the Opposition verified that, if he were elected Prime Minister, individual statutory employment agreements would be back—Australian workplace agreements would be back. And we know that one of the principal uses of these Australian workplace agreements was to strip away penalty rates. For working families under cost-of-living pressures, we on this side of the House understand that it is vital to have a job and it is vital to be fairly treated at work, including receiving penalty rates. On the other side of the House, they do not understand the importance of jobs, and the Leader of the Opposition has verified that, if he was Prime Minister, there would be individual statutory employment agreements that strip away penalty rates.

As deeply divided as they are on so many questions, there is a unity ticket amongst those opposite on this. The Deputy Leader of the Opposition, obviously having got the cue
from the Leader of the Opposition, was on radio singing from the same song sheet. She said:

Bringing back inflexible working conditions such as the penalty rates regime is costing employers more …

So, from her point of view, this is all about taking costs away from employers. What she does not understand is that that is ripping money out of the pay packets of hardworking Australians. But the unity ticket continues. The Leader of the Opposition wants to knock off penalty rates, the Deputy Leader of the Opposition wants to knock off penalty rates, and then they are supported by the current spokesperson for workplace relations, Senator Abetz, who got on the radio and said, ‘Julie Bishop is absolutely right.’ They have a unity ticket on knocking off penalty rates. That is what the Liberal Party stand for.

We also have to remember that the Leader of the Opposition has not only confirmed individual statutory employment agreements to knock off penalty rates; he has also confirmed that he is going to rip away the ability of workers to complain about unfair dismissals. So you can see the two-act play here, can’t you? If the current Leader of the Opposition becomes Prime Minister, on day one, the employer can tell you ‘no more penalty rates’ and, if you complain about it, on day two, you can be sacked without any reason or any remedy given to you.

We all should have known this from having a look at the Leader of the Opposition’s book Battle Lines. I know that not everybody was intrigued enough to buy a copy—and I certainly do not recommend that people do.

Ms GILLARD—I cannot hear you. How many did you sell?

Mr Abbott interjecting—

Ms GILLARD—The Leader of the Opposition is verifying that there were 20,000 Australians with questionable taste who went and bought the book—not a significant percentage.

Opposition members interjecting—

The SPEAKER—The minister will come to a conclusion and those on my left will come to order.

Ms GILLARD—Of course, some had to buy it for work purposes. If you actually look at the book, there it is—all verified by the Leader of the Opposition. He is there saying, ‘Work Choices wasn’t all bad.’ Well, now we know what he means: he did not like the title ‘Work Choices’ but he did like the substance of Work Choices. Maybe he did not like the mouse pads and what we will see from him these days are golf balls to sell his new industrial relations plan. But, whatever you call it and whatever propaganda you use to sell it, it is bad for working Australians—and they know that.

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

MINISTERIAL STATEMENTS

Former British Child Migrants: Apology

Ms MACKLIN (Jagajaga—Minister for Families, Housing, Community Services and Indigenous Affairs) (3.26 pm)—by leave—Today the British Prime Minister, Gordon Brown, offered his nation’s apology to the 150,000 British children sent overseas as child migrants. It is estimated that between 6,000 and 7,500 of these children, some of them as young as three years old, came to Australia. Many were brought here without their parents’ consent. Many had been told that their parents had died. When they arrived here, many were placed in institutions and foster homes where they were cruelly neglected and abused. The Australian government welcomes the apology to the former
British child migrants made by the British Prime Minister, Gordon Brown. We also welcome the announcement that Britain will establish a £6 million restoration fund to support family reunions.

All of us here remember 16 November last year when the Prime Minister of Australia apologised on behalf of our nation to the half a million forgotten Australians and the former child migrants. I also acknowledge the role of the member for Wentworth and particularly the role and contribution of the member for Swan. It was a day when we acknowledged the physical and emotional suffering that all of these people endured and the failure of those with power to protect those who were powerless. This apology was also a turning point for many people, allowing them to begin to heal. As one former child migrant said at the time, ‘I’ve been waiting for all my adulthood for someone to believe us and say sorry for what happened to us, and we thank the government for what they said today.’

To support healing, the government are also taking practical action, establishing the National Find and Connect Service to help former child migrants trace and find their lost families. We continue to support the Child Migrant Trust, which has already done so much to help child migrants reunite with their families. The government have also amended the Aged Care Principles to recognise forgotten Australians and former child migrants as a group with special needs in the allocation of aged-care places. And work has started on two key history projects to properly and permanently place the experiences of forgotten Australians and child migrants on the nation’s historical record.

We do thank very much everybody who has been involved in both the Australian apology and the British government’s apology, recognising this very, very significant moment and its potential to heal for those former child migrants who lost their country, their families and their childhood.

Mr ANDREWS (Menzies) (3.30 pm)—by leave—The coalition joins with the government in recognising and acknowledging the statement made by Prime Minister Gordon Brown in the House of Commons yesterday on behalf of the British people. Mr Brown said in part:

It was hoped that these children, who were aged between three and 14, would have the chance to forge a better life overseas. But the schemes were misguided. In too many cases vulnerable children suffered unrelenting hardship and their families left behind were devastated. They were mostly sent without the consent of their mother or father. They were cruelly lied to and told they were orphans—that their parents were dead when in fact they were still alive.

Some were separated from their brothers and sisters, never to see one another again. Names and birthdays were deliberately changed so that it would be impossible for families to reunite. Many parents did not know their children had been sent.

We welcome the statement made by Prime Minister Brown and we also welcome the family restoration fund that the British government has established. Sadly, it will come too late for many people but it is, if belated, a recognition of the pain and the turmoil suffered by so many—many of whom are now citizens of this country. I recall meeting many former child migrants a few years ago at a gathering of them in Fremantle in Western Australia with the now member for Swan, who cannot be here to make a statement this afternoon because he is attending a function on these matters back in Perth this afternoon. Their pain was palpable all those years later. Nothing can reverse this regrettably chapter in our history but this statement, like the ones that were delivered in the Australian parliament recently, is a measure of the compassion required from all of us.
Mr ALBANESE (Grayndler—Leader of the House) (3.32 pm)—Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings and I move:

That the House take note of the following documents:

Department of the Prime Minister and Cabinet—Counter-terrorism White Paper—Securing Australia, protecting our community, 2010.

Debate (on motion by Mr Hartsuyker) adjourned.

VANCOUVER OLYMPIC GAMES

Mr RUDD (Griffith—Prime Minister) (3.34 pm)—On indulgence, I just thought honourable members might be interested in this. I think it is good for the country. To those opposite, please join in as well. Young Lydia Lassila in the winter games has just gone on to win more gold for Australia. This is really good. She has had a magnificent year, winning two World Cup gold medals in 2010 at Deer Valley and at Lake Placid. I am advised that this makes these the most successful Winter Olympics that Australia has ever had. I just say to 28-year-old Lydia: the country is proud of you. It is a really good achievement for Australia. It lifts the nation’s spirits when we see our athletes doing so well abroad and contributing to these being the most successful Winter Olympics that Australia has ever had. Well done, Lydia.

Mr CIOBO (Moncrieff) (3.35 pm)—On indulgence, I would just like to associate the opposition with the comments of the Prime Minister and to congratulate Lydia Lassila on her outstanding effort in winning gold at the Vancouver Winter Olympics. This follows on from her sensational style in her 2009 World Cup success and that is crowned by her now realising her childhood ambition of becoming an Olympic champion. It is a typically gutsy effort from Lydia Lassila, whose first jump had the highest degree of difficulty in the first round. At only 28, she continues a long dynasty of female freestyle skiing champions in Australia, such as Kirstie Marshall, Jacqui Cooper and Alisa Camplin. The opposition joins in congratulating her and the team.

The DEPUTY SPEAKER (Ms AE Burke)—I think all the House would welcome the achievements of our winter Olympians.

Dr Kelly—All of Cooma is celebrating.

MATTERS OF PUBLIC IMPORTANCE

Bovine Spongiform Encephalopathy

The DEPUTY SPEAKER (Ms AE Burke)—I think all the House has received a letter from the honourable member for Calare proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The failure of the Government to properly protect Australia from the risk of Bovine Spongiform Encephalopathy (BSE).

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

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

Mr JOHN COBB (Calare) (3.36 pm)—I add my congratulations to our competitors in Vancouver, both those who have been successful and those who are simply competing.

As a beef producer myself, and—probably in common with many members of the
House, particularly my colleagues—somebody who probably consumes more than their fair share of beef, I am aware, as I know that Australians in general are, that without doubt we have the best and the safest beef in the world. In large measure that is due to the fact that we have not only the best and the most efficient producers in the world but also the best and safest regulatory system in the world.

It was therefore with some surprise that we read in a joint media release on 20 October last year that, without any consultation or any forewarning, Ministers Burke, Crean and Roxon stated that they were scrapping the ban on imported beef from countries which have had BSE outbreaks, and that beef would be allowed in from BSE infected countries from 1 March, on certain conditions. There has been widespread concern about this decision not only from our beef producers and retailers but also from our consumers. I have got to repeat at this point that our beef is as good as any beef in the world to eat but also, without doubt, it is the safest. I have to concede that there are other people who produce good beef, but it is not better than ours and it certainly is not as safe. It has to be made very clear, as I said, that our beef is the safest in the world. The coalition is committed to ensuring that that remains the case, and so we have given notice that our beef is as good as any beef in the world to eat but also, without doubt, it is the safest. I have to concede that there are other people who produce good beef, but it is not better than ours and it certainly is not as safe.

It has to be made very clear, as I said, that our beef is the safest in the world. The coalition is committed to ensuring that that remains the case, and so we have given notice that we will introduce the Food Importation (Bovine Meat Standards) Bill 2010 to ensure equivalence to Australian production standards, requiring the government to undertake import risk analysis and requiring country of origin labelling for the importation of beef and beef products into Australia.

It will be asked by some, ‘Why would you have country of origin labelling?’ Quite obviously the US features highly in this debate, for wrong or right reasons, but I can assure you that the USA already has country of origin labelling issues; so I do not think they can complain about that. I do believe that Australians have a right to know if we are going to start allowing beef into Australia, under whatever conditions. Consumers have a right to know if they are eating Australian beef or foreign produced beef—wherever it might be from.

The coalition believe that the Minister for Agriculture, Fisheries and Forestry must, at the very least, demand equivalency with current Australian standards, which would mean that any country which has a BSE outbreak must have an equivalent to Australia’s National Livestock Identification System, the NLIS, in place before they can import beef into Australia. Under the Rudd government, Australian beef producers will have to produce beef to a higher standard than imported beef from countries which have had a BSE outbreak.

Our industry requires an NLIS to sell beef to Australian consumers and to sell beef outside of Australia. It is ridiculous to suggest that we should lower the bar and allow beef in from countries which have lower food safety and quarantine standards than we have for our own products. I am a beef producer myself, and I was in agripolitics back when NLIS first happened. I supported it then and I support it now. There has been a lot of grief along the way. Producers did not like it because it is onerous. It requires a lot of book work, it requires expense, it requires a levy, and it is not something you do lightly. Producers have in the main, over a decade, accepted the need for it and accepted the success of it. Why then would we not require a safety standard to sell not just in Australia but in the very countries that might require to sell to us?

A farmer in my electorate who owns a 7,000-head cow herd, in conjunction with his family, is extraordinarily angry that his busi-
ness cannot sell beef without radio frequency tags in their ears. Yet we are talking about allowing beef imports which are not required to have the same standard that he has. NLIS satisfies the requirements of all our customers. In the case of the EU, audits have to be done. That is something that the farmer with 7,000 head of cattle mentioned: he has to be audited from time to time to keep selling into the EU, one of our good markets, even though it is quota. In the case of the best paying markets in the world, Korea and Japan—which everybody wants to be able to sell beef to—they are satisfied with our NLIS standard. In fact, our customers like it and our competitors are envious of it.

In speaking recently to marketers, beef processors, exporters and producers of beef in the US and South America—particularly Brazil, which, like ourselves, has a high percentage of exports—they were all totally envious of something they did not have and probably do not think they can do. In the case of Brazil, I really do not think they can do it. In the case of the United States, they have recently said they are not going to have the equivalent to NLIS. They are going to do it in a far different way, and I will get to that later. Our competitors are envious of us, because they know that that gives us entree into the best markets in the world and it gives us total confidence. It gives our consumers total confidence, I can assure you of that.

The United States recently abandoned the central plank in its BSE control measures, which it was calling the National Animal Identification System—the names are so close that obviously they were intended to be virtually the same. On 5 February the United States Secretary of Agriculture announced that the US had scrapped its national identification scheme in favour of a state based scheme which will, the United States Department of Agriculture website says:

- Only apply to animals moved in interstate commerce;
- Be administered by the States and Tribal Nations to provide more flexibility;

I need to expand on this a little. There are 50 states in the USA, or 51 I think—

Mr Marles—There are 50, I promise you.

Mr JOHN COBB—Fifty, sorry. Even on the mainland—

Mr Crean—John Howard tried to make us the 51st state.

Mr JOHN COBB—Actually, I think what the Minister for Trade is trying to do is to make us the 51st state. In Australia we have to trace every movement in an animal’s life—from one property to another, whether it goes to slaughter or simply interstate; wherever it goes to the day it dies—so that we know where the meat is going and we have a total record for that animal. In the United States, not only will this not be a national scheme but in the 50 states—and obviously not every state is entirely involved in the beef industry—there will be 50 different systems and even different systems within those states. Tribal nations have federal country, not state country, and they are going to be allowed to have their own systems as well—that is, if they choose to put them in place.

Even though the Minister for Trade says that we are going to require something like our system, we want a system as onerous and exacting—not a herd scheme, not a scheme in which you fill-in blanks on a piece of paper. We want a scheme that requires the tracing of every animal in a particular country in the same onerous way in a physical sense—not where the herd goes, not only if it goes interstate. If a scheme only traces an animal after it goes interstate, the animal could have moved around 10 different properties in the course of its life before it went interstate. We are not going to have the faintest idea where
that animal comes from. Given that BSE is a slow-developing disease in an animal, an animal could be 10 years old by the time it leaves the state and it could have been around 20 properties in that time.

I cannot understand, given that the minister believes he is going to insist upon the same exacting standards that we have, why he might not consider accepting our bill. We are not asking for anything we are not already doing, and the minister himself, I am sure, will see the sense in having labelling. I have not actually heard him reply to that issue but I do not think labelling is a big thing to ask for, particularly given that the main country involved here already requires one for meat in its own country.

Even the senior animal health experts in the United States are saying that the abandonment of the National Animal Identification System is an enormous problem. Their CEO, Ron DeHaven, says the American Veterinary Medical Association cannot endorse Department of Agriculture Secretary Tom Vilsack’s new approach to animal disease traceability because there are simply too many unanswered questions. As I understand it, they will let each state and tribal nation more or less develop their own program, so I am concerned about interoperability of 50 or more different systems. Will one state be able to talk to another state as an animal moves through interstate commerce?

In the regulatory system that the minister proposes to introduce, we are willing to look at more than one system within the one country. The American Veterinary Medical Association says we could be looking at 50 different systems within America, and my understanding is that even a company might be able to come up with one within that system. How in the heck could a company tell you—given that they only slaughter the animals and retail them—what happened to an animal prior to slaughter? Given all these different systems, how can we possibly expect our regulatory system to collate that information—because I hope we are not going to rely on somebody else’s word for this? How can we possibly look at these 50 different systems—that is without companies and without tribal nations; that is just the states in America—and give an exact scientific answer as to whether they fit with and are as exact and onerous as our own?

According to Ron DeHaven, who was the Chief Veterinarian of the United States Department of Agriculture when the first US BSE case was discovered in 2003—in Washington State, as I recall—politics trumped animal disease control. The problem with the US is that they export very little, as opposed to Brazil and Australia where the whole industry understands the value of exports. Let’s remember that we are talking about putting at risk our greatest export tool. The minister said that and he is right; it is an enormous tool to trace what might happen in Australia and what might have happened in the countries that want to export into ours. The politics in America are simply that they do not want to go to such trouble because exports are not that big amongst the producers and ranchers themselves.

Bruce Knight, the Marketing and Regulatory Undersecretary of the United States Department of Agriculture in the final years of the last administration, said he fears that abandoning the NAIS model will undercut US efforts to obtain a negligible BSE risk rating from the World Organisation for Animal Health. The United States Department of Agriculture estimates that it is too big a risk.

(Time expired)

Mr CREAN (Hotham—Minister for Trade) (3.51 pm)—I thank the shadow minister opposite for the way in which he is con-
structively—without emotion and without raising concerns within the industry or with the consuming public—seeking to address the issues which we as a government are seeking to address. I might say that it stands in stark contrast to some of the more outrageous claims that have been made by some members of his own party in another place. Let me also say at the outset: there is no way that this government, nor I personally, would risk a decision which would in any way impact upon consumer health and safety or impact upon the great industry that is the Australian beef industry. The campaign that has been waged by some is now being criticised by the Cattle Council itself for having brought fear and damage to the industry. So I would urge those opposite, if we are looking for a rational way through this, to get on top of some of their more extreme elements, because those elements have been rightly referred to as political opportunists.

Let us go to the facts. First of all, why is it that we have to change this system? It is because the system that we have now is dangerously out of date with international beef import laws. It is important to recall the history: in 2001 the Australian government introduced a blanket ban on the domestic sale of beef and beef products from any country which had had a confirmed case of BSE. In international trade law, we are required to apply reciprocity here to the same standards we require of other countries. In other words, under the former policy, if there were a single case of BSE found in Australia, all beef would have to come off the shelf—because that is what we say: ‘The US is excluded as a whole.’ It would only require one case. In other words, if there were an outbreak in Tasmania, the beef would have to be taken off the shelves across Australia. What do you think that would do to the Australian beef industry—an industry that already exports 60-plus per cent of its produce? What do you think it would do in those circumstances?

Do not take just my word for it. I ask you to look at what has been said by the Red Meat Advisory Council, which is representative of many of the peak organisations in the beef industry. It represents the meat processors, the wholesalers, the retailers, the Australian Meat Industry Council, the Cattle Council, the Australian Lot Feeders Association, the Sheepmeat Council of Australia and the Australian Livestock Exporters Council—a pretty representative group. They wrote to the government back in September and said:

RMAC—
the organisation which represents all of these organisations—believes it is imperative for the federal government to amend the current standard such that it is made more consistent with the standard set by the World Organisation for Animal Health and current ambiguity is removed.

The letter went on to say:
RMAC, at its most recent meeting, endorsed its opposition to the BSE certification rules currently operating in Australia. These rules would potentially remove all domestic beef from sale in this country in the unlikely event of a domestic case of BSE.

That is not in the government saying it; that is the industry representative body saying, ‘We have a problem in relation to our industry and we want you, the government, to fix it.’

We have tried to fix it. As a former Minister for Primary Industries and Energy, I say that, when there is any representation made by an industry group saying, ‘We have a potential threat to the future of our industry,’ it is incumbent upon us to try and deal with it. In its correspondence, therefore, the industry asked us to do it. We then took the view that we had obligations to find out where the sci-
ence was up to and to consult further with the industry. The shadow minister at the table says there was no consultation. There was. There was much consultation and, of course, there have been the Senate processes—open inquiry where anyone who has an issue can come along and make their representations.

So, we have dealt with the reason why; we have dealt with the fact that the industry asked us to do it; and we also know, from the consultations that we have undertaken, that the science has moved on since 2001. It is in a much better position to be able to make decisions now which protect consumers and protect the herd but still, far better, keep us in sync with our international obligations.

I invited the shadow minister around yesterday to talk this matter through with him. He did not raise the issue of labelling—I will come to that in a minute—but he raised two particular issues: (1) why we were not undertaking an independent risk assessment analysis and (2) this question of equivalence. I got back to him this morning with a detailed response and I do urge the members sitting opposite to take this issue into account rationally when they consider their position going forward concerning what is going on in another place.

I will go to the traceability issue first. In essence, what the shadow minister has been saying is that we have a world-class national tracing system. I agree with that and I think it is one of the great backbones of our industry and why it is so well regarded. It is also true that other countries wish they had our system in place. The mechanisms that we are putting in place will, in fact, drive them in that direction. Why? Because we will require the equivalent traceability on animals or meat for which export to this country is being sought. So, will we require the tracing of animals to origin and birth? Yes. Will we require the ability to trace the animal forward to its destination? Yes.

Mr Katter—Come on, Simon, you are having a piece of us.

Mr CREAN—You have the right to talk about this later, but I am being asked to deal with the concerns that are legitimately being raised, and I am dealing with those through the appropriate channels—through the shadow minister who represents the opposition in these areas. We will demand the same traceability standards of foreign beef producers as we demand of Australian beef producers. It cannot be any simpler than that; we will demand it. It will be required before we give approval for the beef coming into this country.

The second issue was the question of why there is no independent risk analysis. It is because the analysis we have in place is already better than an IRA. We have long imported beef, and all the diseases that can be carried by beef have been assessed in terms of their impact—diseases such as foot-and-mouth disease and rinderpest, for example. We are going to do exactly the same for BSE but, in addition to the protocols, which the industry has been consulted about and which are now posted on the Food Standards Australia website, we are also undertaking a quarantine risk assessment for each country wanting to export beef into this country. What we are saying is that risk assessment and the targeted science that we are using in terms of the protocols and in terms of the individual country assessments are the best response to manage any of the animal quarantine risk. It is not a question of going to an IRA that simply tells us what we already know. What we need is the ability to put protocols in place to ensure that what we do know is carried out and applied in relation to any country seeking to export beef into this country. I have sought to answer the issue...
being raised in another place as to why there is no IRA, and the shadow minister has got it in written form.

On traceability, again I say to you that we will be requiring the same traceability standards of foreign beef producers as we demand of Australian beef producers. The head of Food Standards Australia has said that the protocols that are in place will ensure that any beef imported into Australia will be 100 per cent guaranteed to be BSE free. That is what Food Standards Australia are saying. They have posted the protocols that are required to make the assessment country by country, and people who have been alarmist about the fact that, from 1 March when these changes come in, there will suddenly be a flood of beef into this country from other countries are absolutely wrong. All that will happen on 1 March will be the ability for countries to seek to send it, but what is then required is the process, the protocols, the country assessment and the risk-in-country assessment being undertaken. So let us not get alarmist about that.

On the question of labelling, it is true that the labelling laws, in my view, can be improved, and I think it is important from the point of view of consumers that we do it. But let us all understand this—

An honourable member interjecting—

Mr CREAN—And growers too, of course. It is important for the industry and we need to consult the industry about those labelling laws as much as we consult consumers. But I make the point that the food labelling laws that are currently being complained about were introduced by the previous government in 2006.

Mr Katter—You’re right.

Mr CREAN—I did not hear Bill Heffernan or any of the others talk about the prospect of a pie having foreign meat in it then in terms of their own food labelling standards. But what have we done? We, on coming to office, understood that if we had to move in this area we also had to look afresh at the labelling laws.

Mr Katter interjecting—

The DEPUTY SPEAKER (Ms AE Burke)—Order! The member for Kennedy is warned.

Mr CREAN—And we have looked afresh.

Mr Katter interjecting—

The DEPUTY SPEAKER—Member for Kennedy, the minister has the call.

Mr Katter interjecting—

The DEPUTY SPEAKER—The member for Kennedy will remove himself from the chamber under standing order 94(a).

Mr CREAN—Some people in this place are as bad as in the other place. They want to yell abuse. They do not want to listen to rational argument. There are forms in this House in which they can have their debate.

Mr Katter interjecting—

The DEPUTY SPEAKER—The minister will resume his seat. I have asked the member for Kennedy to remove himself from the chamber. He is not above the processes of this House.

The member for Kennedy then left the chamber.

Mr CREAN—Having inherited a set of laws by a previous government, for which some members if it now seek to blame us and complain about, we have taken steps to try to address this issue, because we do believe it is important in terms of the changes that are being made that consumers know where they are getting their beef from. What we are doing by way of the protocols is ensuring that the meat that comes in is 100 per cent free of BSE. Those are the standards that have been determined and guaranteed by
the head of Food Standards Australia. Those are the protocols. We have risk assessments in place that will ensure that that guarantee can be met, and we are also looking at what relevant changes can be made to the labelling laws so that consumers can have a better fix than they currently have of where beef products come from.

It seems to me in all of those circumstances that not only have we approached this in a comprehensive way; we have approached it in a consultative way. We have approached it in a way that has tried to deal with reason and sensible argument and concern. What we can never deal with are people who fly off the handle, interrupt meetings and pull stunts in the name of— as the Cattle Council says— striking fear into consumers and undermining the future of the industry. Those people should be condemned. I am happy to try to address the concerns that are legitimately raised. I am not going to deal with people who fly off the handle. (Time expired)

Mr SECKER (Barker) (4.06 pm)—From the outset I want this chamber to know that I believe Australia is the best place to eat beef in the world. I also believe that Australia is the safest place to eat beef in the world. Our standards ensure that there are no risks to the quality of the meat and the Labor government should be doing their utmost to retain this quality.

The reputation of Australian beef must be protected at all costs. Standards should be equivalent to current Australian standards, meaning that any country which has had a BSE outbreak must have an equivalent to the Australian National Livestock Identification Scheme, the NLIS. That should be in place before they can import beef into Australia. The minister is responsible for making this happen, and I will come to this later.

There has been some concern about the lack of consultation surrounding the government’s decision to abolish the ban on beef imports from countries which have had a BSE outbreak. I accept the minister’s comments today that he has consulted, but certainly the coalition will be moving a private member’s bill to ensure that not only is a full and independent risk analysis undertaken by the minister’s department but any beef coming into Australia is produced under the same high standards as Australian beef, and that this is enacted under this legislation.

It is important to know the difference between the risk assessment that the minister has used and the full independent risk analysis that we believe should be instituted. A full independent risk analysis is driven and measured by Australia. The risk assessment is an international assessment driven by the countries wanting to export to us, with the hope that they fully comply.

I will quote from the letter that the trade minister referred to in his speech, and we thank the minister for supplying us with this information. But I say to the minister that it is not possible when you are using points 4, 5 and 6 to actually comply with points 1 and 2. I note that the minister did not quote from points 4, 5 and 6. About point 4: we have electronic ear tags in Australia. I am a beef producer, and the tags are a nuisance, but we have been using them for years as part of being in that system. We actually know from birth to death where that animal has been. With tags you say, ‘We will accept same, or alternative methods are accepted—yes to plastic ear tags.’ Animals lose plastic ear tags, they have them ripped out of their ears and they fade so they are unreadable. I know this because I am a farmer and I have been using sheep tags all my life. All my animals get tagged within 24 hours of birth, and I can tell you we take the greatest care but they get lost, they get ripped out and they fade and
become unreadable. So you cannot have the same compliance with tracing animal to origin or birth, or tracing the animals forward when these things occur. It always happens.

You say that alternative methods are accepted for the national vendor declaration. I do not know that some countries take the same care with their declarations that we do in Australia.

Mr Crean—They have verified it.

Mr SECKER—They might say that they are verified, but I can say to you that I have been to countries in South America and my parents have been to properties in South America and some of them really do not take much notice of the vendor declaration.

The alternative method is accepted for the Livestock Production Assurance—not the same but, yes, with equivalent method. You cannot follow through the system when you are accepting a much lower standard of livestock identification. Indeed, one of the things that many of the farmers of Australia, including myself, would like to have assurance about is that important markets such as Japan or Korea will not close their markets to us as a result of that decision. If the minister could assure us of that, then there would certainly be a lot more happiness out there in the electorate when it comes to this decision.

The consultation that has been done with the beef industry has been conducted without proper care, which will have adverse implications for this industry. This so-called consultation was done under a commitment of secrecy, and the minister knows this. What was he trying to hide? It is outrageous that under this government Australian beef producers will have to produce beef to a higher standard than imported beef from countries which have had a BSE outbreak. I think that is outrageous. Our industry legally requires an NLIS to sell beef to our Australian consumers, and it is ridiculous to suggest that we should lower the bar and allow beef in from countries which have lower safety and quarantine standards than those of our own producers. Under World Trade Organisation rules, we are entitled to demand the same criteria for importers as we do for our own producers. The Australian National Livestock Identification Scheme is an integral part of our food safety system, and it also ensures that we can trace an animal back to the property it came from in the event of a disease outbreak such as BSE.

On 5 February this year, the US Secretary of Agriculture, Tom Vilsack, announced that the US has abandoned plans for a national animal identification scheme and instead will rely on 50 different state-based schemes, which are clearly not equivalent to Australia’s world-class NLIS. The shadow minister for agriculture, food security, fisheries and forestry, John Cobb, was recently in Brazil and the United States, talking to agricultural officials, beef processors and producers, who all said they were aware of Australia’s NLIS and that they were jealous of our NLIS as a food safety, quarantine and marketing tool. However, due to domestic politics a similar system would not be introduced in either country anytime soon.

The coalition has instigated a Senate inquiry into the importation of beef from countries that have had a BSE outbreak. The Senate inquiry has uncovered a number of disturbing issues and the coalition will also be introducing a private member’s bill into both chambers of parliament to protect Australians and our beef industry from this lapse.

The Rudd government should release the import protocols before the ban is lifted on 1 March this year. Our beef industry is worth billions of dollars, it supports hundreds of towns and communities and, as the minister said, it is very important to this country. Thousands of jobs would be destroyed if
there were a BSE outbreak in Australia. I accept, Minister Crean, that the risk is low. I do not think any minister would be crazy enough to allow more than a negligible risk, but I am not sure that the minister can claim 100 per cent safety. That was an extraordinary claim yesterday, Minister. It was a bold and courageous statement. I hope the minister is right and we do not live to regret it.

The nation’s clean, green, disease-free status is invaluable and quarantine is too important be ignored. The minister’s refusal to demand an import risk analysis and update the import protocols for all countries which are currently banned from importing beef into Australia because they have had BSE outbreaks is a disgrace and he should change his mind.

Mr MARLES (Corio—Parliamentary Secretary for Innovation and Industry) (4.16 pm)—I want to start by acknowledging the contribution that has been made in this debate by the member for Calare, who I think is attempting to inject some sanity into the whole issue. As the Minister for Trade said, it does stand in stark contrast to the way in which this debate has been conducted elsewhere. This debate and this issue around the change of the government’s policy about the potential importation of beef into this country from other countries which may have had cases of BSE recorded in their stock is, at the end of the day, a traditional debate which has been waged between scaremongering and science. On the part of scaremongering, you have basically the National Party and some of the wild Liberals and, on the part of science, you have the Labor Party and the government.

The whole progress of human history really has been defined by the triumph of science over fear. In ancient China it has been recorded that eclipses were the subject of enormous fear. There was a belief that an eclipse was caused by an invisible dragon swallowing the sun, so drummers would start beating their drums and archers would start shooting arrows into the sky in the hope of scaring the dragon off or killing it. Wikipedia does not record whether those same archers and drummers were members of the National Party. Nowadays an eclipse is a completely predictable event and one which is seen with wonder. This human progression of science over fear is a progression which has been defied by one group in society and that is the National Party of Australia. When there is an opportunity to engage in scaremongering, they take it and, when science presents itself, the National Party will ignore it.

Since the policy that currently exists on this day, before it changes on Monday, in relation to BSE and the importation of beef was introduced by the Howard government back in 2001, we simply have seen science move on and we need to change that policy because it is now outdated. We need to change it in fact to protect the Australian beef industry and we can change the policy in a safe way. It was on that basis that the government made its decision, on a sound and scientifically based rationale. We did it for the very reason that we needed to protect a $7 billion industry, the beef industry, in this country. The National Party saw in that decision the opportunity to engage in a scare campaign.

The Nationals might be scared of mad cow disease, they might be beating on their drums and they might be firing their arrows into the air, but the Australian beef industry in this country is scared of one thing and that is mad Nationals disease. Right now, this country has a problem with this policy. The situation as the policy stands on this day were it not to be changed is that we have a blanket ban on importing beef from any country in the world which has ever had a recorded case of BSE. The WTO rules re-
quire that we treat our own product in the same way as the product that we import. What that means is that in the unlikely event that there were ever to be a BSE outbreak in this country it would require that we take Australian beef off Australian shelves—the whole lot. There would be no exporting it, it would come off our shelves and that is a $7 billion industry closed down overnight. That is not a risk in terms of public policy that this government will take.

There is a second reason that we have a problem. As the science has moved on and as our policy has become increasingly out of date, the world is looking at us and we risk the possibility of a dispute being lodged in the WTO. Indeed, right now Canada is lodging a dispute against Korea, which has a very similar policy to the one which we have in place on this day and will change on Monday. If that were to occur and it were to be successfully prosecuted, it would risk the $5 billion export beef industry again closing overnight. It is for that reason that the beef industry themselves have been asking this government to change the policy. We have acted on their concerns. The argument that we are out there not consulting is utter rubbish. It is in fact their lobbying, their persuasion, which has led us to make this decision, and it has been ably done through the Red Meat Advisory Council. The policy which we are putting in place right now is one which the science says will be perfectly safe. The first thing to understand is that the policy that we will implement will absolutely ensure that no meat from a BSE affected animal will ever be imported. That is what our policy says—there will not be any meat from a BSE affected animal imported into Australia. That is what the policy will be from Monday onwards.

On the issue of human health, two reviews under the Howard government, in 2005 and 2006, made it clear that the science had moved on and that systems could be put in place to make sure that no BSE affected meat would come into this country and give rise to any infection of humans. Professor John Mathews was asked to review this by this government. His review made it clear that it was absolutely possible to move in the direction to change our policy in a safe way provided that we put in place appropriate risk strategies, as we are doing. In response to the member for Barker, it is not right to say that the protocols that will be put in place in order to assess beef coming into this country are not public. They are public and they are on websites as we speak. Professor Mathews identified a small risk in relation to human infection from BSE. He said the theoretical risk was that there was a 0.002 chance that a person could contract vCJD at some point in the next 25 years by virtue of this change in government policy.

In effect this means that this change in government policy gives rise to the possibility that one person in Australia might be infected by vCJD in the next 12,500 years. That is a long time. Humankind only started farming 9,000 years ago. The entire recorded history of humanity is 5,000 years old and we only domesticated the horse 4,000 years ago. What he is saying is in double the time it took for the rise and fall of the whole Hittite kingdom, the rise and fall of every Egyptian dynasty, the rise and fall of the entire Roman Empire, the Spanish Inquisition, the Renaissance and the industrial age there is a chance that one person in this country might contract vCJD. That is the risk to human health as a result of the policy that we have put in place. It is negligible indeed.

In relation to our animal stock, it was concluded that there was no risk at all for two reasons. Firstly, one of only two ways in which BSE can be contracted by another animal is if they are in contact with an animal with a case of BSE. On that point, there
is no live cattle importation into this country and that will not change under this policy. Secondly, the only other way is if there is some form of cattle product in feed and this is fed to other cattle. Again, that practice is not allowed in this country and the policy does not change that either. So it was concluded there could be no viable way for another animal to contract a BSE infection. That is where it is: completely safe.

This is a policy which will give rise, on the basis of science, to a safe outcome for this country and one which is so important for our beef industry. Principally this is a decision that has been taken on the basis of science, but it is also one that we need to consider in the context of trade. This is a $7.1 billion industry which is 60 per cent export based. It is utterly insane to take decisions which risk that trade. I guess when we talk about insanity that is where the National Party comes into it. In the five years before the outbreak of BSE in the United States, which resulted in a ban on importing beef from that country in 2004, an average of only 34 tonnes of beef was imported from the United States into Australia. By comparison, we export 280,000 tonnes of beef every year. New Zealand made this decision eight years ago. That is a country whose economy is principally based on agriculture. There has been no effect on its industry. The opposition has been utterly hopeless on this. They know the issues and their arguments should be based on science rather than fear. (Time expired)

Mr HAASE (Kalgoorlie) (4.26 pm)—In the time remaining for debating this matter of public importance, I wish to make some salient points. No. 1 is that Australia is the safest place in the world to be a consumer of high-quality, high-protein, high-iron beef. That is what is important and what needs to be maintained. What we do not need is any change in government policy that puts that wonderful reputation at risk. The last thing we want—and this is not frightening the horses or scaremongering, as the minister would suggest—is a policy from the Australian government that puts that reputation at risk. If the government has a problem and the industry has a problem with an outbreak causing the removal of meat from all the shelves in all the states across Australia then let the Minister for Trade via the department come up with a solution that does not put Australian beef at risk. Do not throw the baby out with the bathwater, Minister. We do not need to do that.

In Australia we have a protocol that allows us to trace the whereabouts, history and movements of a farm animal from birth to death. No equal system exists anywhere else in the world. Why then should we accept beef from countries that have had outbreaks of BSE if they cannot and will not replicate our trace system from birth to death? It is a question that producers right across this nation are asking, Minister. That question needs to be answered honestly and with great assurance so that our industry know that the impositions being placed on them as producers to put product into our market are equal to the impositions placed on overseas producers if they are now being invited to put their product into our market. This is about consumers and industry producers relying on receiving equity from this minister.

We are being asked to accept that assessment equals analysis. In matters of importing goods from overseas, an assessment is a simple process, the parameters of which are laid down by parts of the UN, and producing countries have to certify under that assessment regime. It is a process undertaken by the hopeful exporting country. It is not a process undertaken by Australia, Australian producers or the industry at large. What the minister is suggesting is that mere assessment under the UN protocols is sufficient
because Australian authorities will tick the box that the risk assessment has been carried out and that will give everyone peace of mind.

Debate interrupted.

ADJOURNMENT

The SPEAKER—Order! It being 4.30 pm, I propose the question:
That the House do now adjourn.

Hume Electorate: Roads

Mr SCHULTZ (Hume) (4.30 pm)—I rise to speak on the issue of road safety and an instance in which a decision of the New South Wales Roads and Traffic Authority makes absolutely no sense at all. Late last year the New South Wales RTA made a decision to close an at-grade crossing on the Hume Highway at Marulan in the electorate of Hume. The closure is due to take place by June this year.

Many in this place would know Marulan, as it is located approximately halfway between Canberra and Sydney and its service centres are a popular rest stop for travellers and truck drivers. Marulan is a quiet rural village of approximately 500 residents, and it was bypassed in 1996. It is a mining and transport town. It has a primary school, a preschool, a day care centre and a number of businesses that line its quaint main street, which has become more popular since the bypass as a quiet alternative for travellers and the locals alike to enjoy the quiet small-town rural atmosphere.

The decision for road safety reasons by the New South Wales RTA to close the at-grade intersection of the Hume Highway and George Street at the southern approach to Marulan because of a number of road crashes since 1999, two of which have involved fatalities, will now force traffic travelling south wishing to enter Marulan to do so from the northern approach. This will have the effect of forcing up to 2,000 vehicle movements per day, many of which will be heavy vehicles, including B-doubles, through Marulan’s main street and directly past the primary school, the preschool and the day care centre.

I am a very strong advocate of road safety and I believe that it is paramount that the government do all it can to assist in curbing the ever-increasing road toll but, when I am confronted with a proposal that does not adequately address the safety issues of the intersection and, indeed, creates a greater safety risk for the residents of Marulan, particularly with the safety of infants and primary school children, from increased heavy vehicle traffic, what am I to say to my constituents other than, ‘I totally agree’? The very principle behind bypassing our smaller country towns and villages is to remove excess traffic, including heavy vehicle traffic, from pedestrian areas, and I am afraid this proposal just does not do that.

The funding for this proposal has come from the previous Howard government’s black spot funding program, a very successful road safety project that has been continued by this government—and for that I thank them. I was personally involved in obtaining black spot funding for two similar intersections just south of Marulan, at the Towrang and Carrick interchanges. If similar engineering to this could be employed at the Marulan intersection, I believe the safety concerns of both the RTA and the residents of Marulan would be satisfactorily addressed.

I have made representations to Minister Albanese on behalf of the residents of Marulan requesting that he intervene and give consideration to alternative engineering at this intersection. I have brought to his attention that fixing one problem should not create another problem, and in this case at Marulan there is a very real possibility that this could happen. I have also brought to the min-
ister’s attention that there are other federal roads, particularly the Princes Highway on the South Coast of New South Wales and the Pacific Highway on the North Coast, upon which carnage is almost a daily occurrence and that black spot funding could be better spent there.

The significant increase in heavy vehicle movements through Marulan’s main street, even with promised upgrades to the school crossings and to George Street itself, will go nowhere to improving the safety of local schoolchildren or residents. It is a well-known fact that it takes a lot longer to pull up a B-double, even if it is travelling at the speed limit, than a car, and my fear is that this is a tragedy in waiting given the unpredictability of small children. In closing, it is my hope that Minister Albanese will look most seriously at this proposal, and I hope that he will see, as I and the community of Marulan have seen, that the RTA solution here is not the right solution.

**Makin Electorate: State Sports Park**

**Mr ZAPPIA (Makin) (4.34 pm)**—As South Australians approach the 20 March state election, it is becoming crystal clear that the South Australian Liberal Party is continually making policy on the run, with already a number of ill-conceived, poorly thought through and carelessly costed election announcements. One such announcement directly affects the Makin electorate, which I represent. I refer to the announcement by the SA Liberals of a plan to sell off land at Sports Park at Gepps Cross, located in the Makin electorate, in order to pay for the development of an indoor football stadium in Adelaide’s city west precinct.

The football stadium proposal itself raises serious questions about the Liberals’ competence and ability to manage the state, with issues such as the proper costing of the project, the ongoing and long-term maintenance costs of the stadium, its location and the logic of building a very expensive new stadium as opposed to the Rann government’s option of upgrading, at a much lesser cost, the existing Adelaide Oval facilities. Separate from those concerns, the intent to sell land at Sports Park for residential purposes is fraught with problems and highlights the Liberals’ incompetence.

My recollection is that Sports Park was set aside by the Bannon Labor government in the 1980s as a state sports precinct. The South Australian cycle superdrome and the state hockey arena are located there, along with the sporting facilities established there by the Croatian community, and a new preschool is under construction. I understand that there have also been other expressions of interest to develop sports facilities on land at Sports Park. In the late seventies I was actively involved with other local residents in preventing the Sports Park land from being sold off as housing and preserving it as open space for community recreational land—so much so that, in the mid-nineties, I was instrumental in having Salisbury City Council purchase the northern section of the Sports Park precinct, which is within the city of Salisbury, in order to preserve it as a community recreational asset.

Today that particular area has been developed into a wonderful community asset with a wide range of recreational facilities, open space and substantial wetlands. Things such as the BMX club, the skate facility, a playground which caters for children with disabilities, a dog park, walking trails, an ornamental lake and the beauty of the wetlands themselves have all been developed as a result of preserving that land. Sale of Sports Park land for residential purposes would be a betrayal of promises about the future of this land made by previous state governments to the local community. It was bad enough that the Liberal government in the 1990s sold off
a substantial portion of Sports Park to Woolworths for its distribution centre, but at least the Woolworths development does not constrain existing facilities. This latest proposal by the South Australian Liberals to sell off Sports Park land for residential use is incredibly irresponsible. They have not consulted with the local community and, not surprisingly, the mayor of Port Adelaide Enfield, Mr Gary Johanson, whose council area Sports Park is located within, has also publicly opposed the sale of Sports Park land by the Liberals.

If Sports Park land is sold off for housing, not only will it prevent the future location of other sports codes on Sports Park—because the land simply will not be available—but it will also directly impact on the activities and growth of existing sporting facilities. I am aware that, for one, the state hockey arena wants to see an expansion of their facilities. That is the very kind of expansion that will be put at risk. The co-location of houses with sporting facilities inevitably creates conflict relating to traffic, noise, lighting and security issues. From past experience I know only too well the angst caused by co-location of both the residents and sports clubs. This is a foolish proposal which highlights that the South Australian Liberals are incompetent, shortsighted and lack concern for both the local residents and the existing Sports Park sporting groups. The SA Liberals have shown once again that they have not done their homework, that they do not understand the issues and that they are not ready to govern.

Home Insulation Program

Mr BALDWIN (Paterson) (4.39 pm)—In question time today I raised an issue with the Prime Minister on behalf of Mr Ron May of Insulmaster. I pointed out that this person, taking the Prime Minister at his word in good faith, built up his staff to 28, leased new premises, put in new phone systems, invested $800,000 in stock and is now wearing a $630,000 stockpile because there was promise of work until 2011. But the big underlying issue here is the fact that Mr May’s company, Insulmaster, is owed $239,817.54. Those invoices go back to July 2009. Today in question time I sought leave to table the government’s own home insulation fact sheet for installers, and on step 3 of that it says: You’ll be paid directly by the Government for the cost of the ceiling insulation and installation, normally within 14 days.

I put it that from July 2009 to today is a lot longer than 14 days, but our installers no longer have that fact sheet to rely on. The government took it off their website and then refused me the opportunity to table this statement so that people could see what another of the government’s broken promises looks like. What has gone up in its place is more new advice: ‘Installer advice No. 25’. It says they have to have all of their invoices in by midnight tomorrow night and then they will be paid in about six weeks time. Another broken promise.

These are people who took the Prime Minister at his word. They accepted, as indeed did their customers, that in the term of good faith this program would continue. Mr Ron May does not stand in isolation. To give you another example, Barry Hayes from Hayes Insulation at Medowie has written to me. He is a very distressed business operator. At the moment he has orders for approximately 30 homes to be insulated, but that has now stopped. What of the $35,000 worth of stock that he has in place? What does he do with that? The banks are not going to be very understanding. They will want their money and Mr Hayes has to come up with it. He has built his inventory levels and his business up, taking the word of the Prime Minister in good faith.
I refer to another insulation installer, the Battmen in Forster. Their family business has been run since 2001 by Vanessa Perkins and Dean King. They have had to put off workers. They are drawing upon their own family savings, because they are a family business, to provide the interim support as they go forward. What is not taken into account in all this are the redundancy payments that have to be paid immediately once they lay off their staff. This will be a huge economic drain. The Prime Minister talked about the stimulus package creating jobs and opportunity and helping the environment, but this has created a nightmare environment for small business. There is no care and no consideration, and it shows that you cannot take the Prime Minister on his word in these matters.

I say to the Prime Minister: what are you going to do? Today he said Mr May will be paid. A letter will be hand delivered to the Prime Minister on Monday morning. If I can take him at his word I would expect that, as the Prime Minister has said today, the $239,000 will be paid, as a matter of course, not in six months, not in nine months but within the 14 days, because this has already dragged on far too long. These are people who accepted the government at their word. They have fulfilled all of the criteria. Their workers are trained. They are registered. They have completed all of the certificates in training. They have done a good job. This government has let them down.

The other point that I would like to raise in this is that there have been 93 house fires attributed to this program. What of the money and economic loss to those individuals? Will this government now stump up the over $20 million that it will cost to replace those houses? It is either the consumers, their houses and the destruction that they have gone through or the insurance company, but somebody other than the government is footing the bill. The Prime Minister has repeatedly said the buck stops with him. In Mr May’s case I hope the $239,000 does not stop with the Prime Minister and it is passed on to my constituent so he can at least pay his bills.

**National Security**

Mr Hayes (Werriwa) (4.45 pm)—This week the Prime Minister released a further piece of the government’s national security reform agenda, the counterterrorism white paper. The protection of Australia and Australians’ interests is and will remain the first priority of this government. The Prime Minister made it very clear in his national security statement back in December 2008, where he outlined strategies for a whole range of national security challenges that we face.

We know that the threat to Australia and our way of life is real and, disturbingly, it is not reducing. It is important that we remember that this alarming advice comes directly from the government’s security and intelligence agencies. It is for this reason that we must remain committed to the action that will best combat terrorism, and I welcome the release of the white paper. It should be recalled that, when the Prime Minister delivered the white paper earlier this week, he said:

No government can guarantee that Australia will be free from the threat of terrorism, but the government can guarantee that we will take all necessary and practical measures to combat the threat of terrorism.

With the emerging threat of home-grown terrorism, it is more important than ever that our security, intelligence and law enforcement agencies have the right tools and resources to assist them to identify a terrorist and to take protective action. I have spoken many times about how, if we are going to be tough on crime, we must give our police, who protect our communities day in and day
out, the necessary tools that they need to get on and do their job more effectively and make a real difference in the communities in which we live. We know that doing this does make a difference.

One thing I would note—and I suppose every other member finds this—is that our constituents do not see a difference between state, territory and local governments when it comes to issues of law enforcement and community safety issues. They want and demand the best measures of community safety that we can provide. I believe there is a need for a greater degree of acceptance at all levels of government, that there is a responsibility for local law enforcement, community safety and crime prevention strategies. This is an issue that I have continually raised in the parliament. Indeed, it is a matter that I raised in my maiden speech back in 2005.

With respect to community safety, I believe there are considerable benefits in greater federal government involvement and making direct assistance available to state and territory policing, when the ultimate benefits are to be found in better community outcomes as well as the development of best practice community policing strategies. I had the opportunity last year to visit the United States, where I engaged with various police jurisdictions that are currently responsible for advancing community policing strategies through the federally financed assistance program through the Community Oriented Policing Services, or COPS.

The COPS program is run by the US State Department and is designed to bring together communities and police in a way that addresses local crime problems and challenges in many communities. However, rather than simply responding to crimes once they have occurred, community policing concentrates on preventing crime and eliminating the atmosphere of fear that it creates within targeted communities. We should remember that prevention is a critical strategy—not simply stopping crime after it has occurred but applying the strategy to prevent, disrupt and disable crime before it occurs.

Each police jurisdiction I visited that was engaged with the COPS program all praised it as one of the most successful anticrime programs within their jurisdictions. Whilst the COPS program was initially implemented in 1994 by President Clinton, with the election of the Obama administration in 2009 the US have placed a renewed importance on this program by injecting a massive $1 billion which was topped up by a further $730 million in the 2010 budget.

As a result of this program, I can report that every jurisdiction I engaged with saw genuine reductions in street and gang related crime as well as general reductions in antisocial behaviour in areas where the program was in operation. Importantly, the program enabled police to help establish better relationships with the community and, in particular, youth at risk. The one consistent message I heard loud and clear was that, whilst law enforcement in the US—as it is in Australia—is a direct responsibility of state and local policing jurisdictions, this program made a— (Time expired)

Pearce Electorate: Toodyay Bushfire
Mrs MOYLAN (Pearce) (4.49 pm)—Since the devastating bushfire tore through the outskirts of the town of Toodyay in my electorate on the eve of New Year, residents have anxiously awaited the release of the EnergySafety WA report. Those anxious about the origin of the fire included young families without any insurance who lost their homes and possessions, and others who were underinsured. These are folk who will not be in a position to rebuild or replace what they
have lost. The impact on them is unimaginable.

In the immediate aftermath of the fire, it was thought that faulty powerlines were the most probable cause of the fire. This speculation was hardly surprising, as a fire in 2007 which cost the life of young school teacher, Ms Michelle Mack, was caused by clashing, sagging powerlines.

I have spoken in this place previously of the destruction that was left in the wake of the 2007 and now the 2009 fires, and the ongoing risk of an ageing power reticulation system. In this fire, one person was burnt, 38 homes were lost and many were damaged. Personal possessions were destroyed, 3,000 hectares of land, fencing and sheds were burnt, threatening the livelihood of many.

Gathered in the memorial hall on Friday the worst fears of many were realised when the EnergySafety report could not find any definitive evidence that a fault in the power reticulation system caused this fire. But a careful reading of the report will show that the inquiry was inconclusive; thus, the people of Toodyay continue to live with the frustration, uncertainty and indeed the ongoing threat of fires from this source.

The introduction and summary of the EnergySafety report made the following comments:

The Fire and Emergency Service Authority (FESA) notified EnergySafety on 29 December 2009 that the bushfire (FESA incident number 141266) originated in the vicinity of Western Power’s T303 spur overhead single-phase high voltage 12.7 kV power line.

EnergySafety has been unable to determine if electricity from Western Power’s distribution system caused the bushfire on 29 December 2009. The residents of Toodyay have a long and painful recovery process ahead, and many are upset that their questions about the source of the fire have gone unanswered. The challenge remains though—that is, to rebuild lives. The public response has been exceedingly generous. However, I know that there is still work to do. I know from talking to the head of the recovery team, Mr Charlie Wroth, and the shire president, Mr Chris Firns, that cash donations are still very much needed to help people rebuild their homes and replace their possessions.

The town of Toodyay continues to be a thriving cultural centre. There are many who think that the town itself burnt down, and therefore visitors are staying away. But that is not the case. Toodyay is home to some of Western Australia’s earliest history and earliest buildings. Notwithstanding the bushfire, Toodyay and its immediate surrounds are as beautiful as ever, and the town buildings and the main street remain untouched by fire and are as charming as they have ever been. More importantly, the people of Toodyay have warm hearts and they are very friendly. They are looking forward to welcoming back to Toodyay many visitors to the town, so that they can continue to thrive and to get back on their feet.

I hope that anyone listening to this adjournment debate today will help the people of Toodyay get back on their feet by returning to the town in great number and helping the many folk there to rebuild their lives, and by enjoying that beautiful historic town and the many wonderful historic buildings and the lovely natural environment that the town has to offer. It is one of the older settlements in Western Australia and places like Connor’s Mill still stand today. It was one of the places that ground the colony’s first wheat into flour. We have no rice in Toodyay, I can assure you, but we have lots of productive farming land, including wheat, sheep, dairy, orchards and many other agricultural pursuits. We look forward to helping the people
of Toodyay get back on their feet following this very devastating event in its history.

**Health**

**Ms SAFFIN** (Page) (4.54 pm)—Today I am going to talk about two initiatives that are part of the health reforms being delivered under the Rudd government: one a capital infrastructure and one a community initiative. The first one is the linear accelerator. The first linear accelerator arrived at Lismore Base Hospital last week, and the local state member, Thomas George, and I both went there to visit and to be briefed about it. It was a welcome addition to our health infrastructure. When we were there we were talking about when Thomas was elected in 1999, and he has been one of the advocates for this machine ever since, as have I for that same amount of time—probably even longer.

The community has also been onside. Honourable members will know that the report that was prepared by Dr Christine Bennett talks about health services and the lack thereof in rural and regional areas. It also talks about the issue of not getting access to services, particularly services for people who have cancer who have to travel great distances—and some choose not to travel.

The technicians who put the machine together—which is quite a feat in itself—were on site putting it together. So we got to see that. We could not hold them up too much because they want to get it up and running and there are certain things that they have to do with the calibration of it and they just have to keep at it. It was really good to see. There was a lot of interest from the local media, because there is big public interest in the integrated cancer care centre.

One of the election commitments that I was able to give in 2007 was to honour the $15 million contribution from the Australian government to sit with the $12 million from the New South Wales government, and that allowed the integrated cancer care centre to be up and running this year. It was originally to be March, and there was permission for it to be in May due to the rain. Unlike Canberra, we have a lot of rain where I live. We have frequent rain events, flood events and things like that.

**Dr Kelly**—You can share some of it.

**Ms SAFFIN**—That is what people in Canberra and other areas around the state say. Quite often we do have delays because of the weather.

Associate Professor Tom Shakespeare will commence the first Lismore radiation oncology clinic in April, and that is very welcome. The linear accelerator will be housed in one of the centre’s two bunkers, where there is capacity for a second linear accelerator in the future—and, of course, we want another one. We have already started lobbying about that. The fact is that we have the bunker there and we will fill it. It will happen. That is what often happens in health. If you know how health works, you would know that you have it there as soon as the numbers become a reality. We know they are there notionally but they become a reality and it has to come online. We will not give up.

The radiation oncology service will also include a CT scanner for radiotherapy planning, an x-ray unit to treat skin cancers, and associated work spaces integrated with the existing cancer care unit that will relocate to the new cancer care centre in May. There are two new technical specialists. Medical physicist Nick Bennie and deputy chief radiation therapist Stephen Manley have joined the cancer care centre. Over the next three months, the linear accelerator that we looked at will be commissioned. That means that it will be up and running—it takes a while for all of that to happen—and new frontline staff will be trained.
The other local happening was the Lismore tradesman-of-the-year calendar. Six hundred copies of that have already been sold. The *Northern Star* reported a few weeks back that they had sold ‘faster than hotcakes’. The calendar is to raise money for the positron emission tomography scanner, the PET, at Lismore Base Hospital. We are actually going for a PET CT scanner. They are available in major metropolitan areas, and we understand that it can happen in our area. *(Time expired)*

**Home Insulation Program**

**Green Loans Program**

*Mr BILLSON (Dunkley) (4.59 pm)*—The $41 million announced by the Rudd government to help insulation installation workers keep their jobs or potentially find new ones and be kept on in the workplace ignores a very simple fact: unviable employers cannot engage employees. In the Rudd government’s announcement, there is nothing about support for the small businesses and the costs and expenses they incurred. And we have yet to hear one word about the economic and financial harm caused by the mishandling of the Green Loans Program. Action is desperately required.

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

*House adjourned at 5.00 pm*
The DEPUTY SPEAKER (Ms AE Burke) took the chair at 9.30 am.

CONSTITUENCY STATEMENTS

Cook Electorate: Rotary Club of Cronulla

Mr MORRISON (Cook) (9.30 am)—I rise today to acknowledge a significant milestone for one of the most active service clubs in my electorate, the Rotary Club of Cronulla. In February 1950, some 60 years ago this week, the Rotary organisation came to the Sutherland Shire with the creation of its first club, the Rotary Club of Cronulla. I have a personal friendship with many of the members, am an honorary member of the club and have a strong appreciation for the hard work they do in our community. I also know they are very active fundraisers and I would like to pay tribute to the club’s members who do so much for local charities.

Originally to be called the Rotary Club of Sutherland, the newly-formed club became the Rotary Club of Cronulla because a suitable meeting place could not be found in Sutherland. There were 25 charter members at the time of the club’s formation, and the charter president was Mr Angus Gunn. He filled the position at the last moment due to the sudden transfer of Mario Perryman, a noted local identity who was employed as a bank manager. The charter night was held at the Cecil Ballroom, Cronulla, with 400 Rotarians and guests including the District Governor, Ollie Oberg, who later became a first Vice President of Rotary International.

The first members of the Rotary Club of Cronulla helped to build much of the shire’s community infrastructure. The shire was still very much a development area in the 1950s, and large areas were being opened up for new housing. The members of Cronulla Rotary erected a stone hut for a boy scout camp on the shore of the Woronora River. Blocks of stone were cut from a nearby location and floated across the river on a timber raft made in a member’s workshop. If attempted today, the project would probably be a public liability insurer’s minefield.

Over many years the club has embarked on countless other projects including playgrounds, building work, transportation and other assistance for the disabled, erection of a chapel at Sutherland Hospital and landscaping works at our nation’s birthplace at Kurnell. The club has made a contribution towards the fostering of international relations by hosting visitors from many overseas countries, including tour groups from Austria, Brazil, the United States, the United Kingdom, Canada and South Africa. Members of the club have joined volunteer delegations overseas, including one group that went to PNG to build a school and another that went to Nepal to work on a hospital project. Current efforts of club members include support for orphans from the 2004 tsunami in Aceh, Indonesia. A recent fundraising appeal collected $450 for the victims of this year’s earthquake in Haiti. Rotary members think nothing of giving up their personal time throughout the year at their many barbecues, particularly the large one on Australia Day at Cronulla beach.

It would take me far too long to list the many organisations that have benefited from Cronulla Rotary, but on behalf of those many local organisations I thank the Rotary Club of Cronulla for their service. In 2010 the Rotary club organisation will mark its 105th anniversary at an international level and 88 years at a national level. I join with the members of Cronulla Rotary to celebrate their 60th anniversary and acknowledge in this place the great contribu-
tion they have made to the lives of many residents of my local community and those less well-off than they are. I would particularly like to acknowledge the hard work of their current president, Mr Stuart Payne, and the current members of his board, including my good friend, Kevin Schreiber.

**Holt Electorate: Southern Cross Kids Camps**

*Mr Byrne (Holt—Parliamentary Secretary to the Prime Minister and Parliamentary Secretary for Trade) (9.33 am)*—Today I rise to talk about a group called Southern Cross Kids Camps. As I have stated in this chamber on a number of occasions, being a member of parliament enables us to meet extraordinary people and organisations that make a difference in our community. One such organisation is Southern Cross Kids Camps, which is headed by Dave Marrett, a former director of the successful and innovative programs of the Berwick Church of Christ. In his new role Dave runs programs to look after children who have been neglected, abused and subjected to domestic violence. These camps are run across Australia as well as in New Zealand, and I am fortunate to have one in my region.

The children, who range in age from eight to 11 years, are referred to participate in these camps by social workers, foster care agencies and school principals and chaplains. The camps provide the opportunity for some children to experience for the first time a nurturing, activity filled camp with caring, supportive professionals and volunteers. In particular, they have their very own buddy, a screened and trained adult who is with them for the week of the camp. These buddies participate in the activities, the sports and the evening programs. They become part of the supporting environment which plays a large part in the process of renewal of trust in interactions with adults.

When kids arrive at the Southern Cross Kids Camps the trait that they all share is the need for help. They are either withdrawn or challenging but they are always longing for acceptance. In the words of Carolyn Boyd, who founded Southern Cross:

They feel guilt for crimes they have not committed … shame for the secrets that have been revealed, responsible for family break-ups and bewilderment at the shattering of their world.

In these shattered worlds Southern Cross Kids Camps become a haven, an outlet for these kids and a mechanism through which they can at least begin to be themselves. In many cases these important camps can become turning points in young people’s lives. Interestingly, some prominent Australians have themselves been through these camps as children and have transformed their lives. In 2009—the ninth year that Southern Cross has been operating—240 children participated in these camps. This was made possible by the work of over 400 volunteers, which is testament to just how well-regarded this organisation is amongst local communities.

In the short amount of time I now have available, I wish to mention one particular experience that Dave recounted to me earlier this month as a consequence of one of the camps. As I said, there is an issue with children and trust. At the start of the year they organised birthday boxes to hand out to kids participating in their programs. As you would expect, the kids receiving these presents were absolutely thrilled, except for one young boy who sat quietly in the corner staring at his gift without opening it. When Dave realised he was not going to open it, he went over to the boy and said, ‘Why aren’t you?’ The boy said, ‘I don’t want to open it because it will be empty, anyway.’ Dave spent time reassuring him. The boy opened it and
realised there was something in there. This camp is a key transformational point in children’s 
lives and I think all parliamentarians in this House should support this program.

**Lyne Electorate: Regional Development Australia**

*Mr OAKESHOTT (Lyne) (9.36 am)*—I rise to speak about the welcome start of Regional 
Development Australia, on the mid-North Coast, that is now up and running. There has been 
an 18 month- to two-year void in regional development right throughout this country. But the 
coming together of the old New South Wales government state and regional development 
boards and the old Australian government area consultative committees to make this new 
RDA body on the mid-North Coast is certainly welcome. We now have executive officers in 
place. I welcome the appointment of Peter Tregilgas and the establishment of the office in 
Port Macquarie. It is now down to the hard and practical work of delivering on projects.

The first project that is of great excitement to the mid-North Coast region is the growing 
gap in resources—in this case, gas—that are being found in our area, in Gloucester, and in 
Casino on the far-north coast, yet the areas in between on the mid-North Coast, up to this 
point, have not been on the radar for commercial use and access to what is, essentially, the 
area’s own product. The AGL project in Gloucester involves piping the gas down to the 
Hunter, Hexham, to join the gas pipeline there. Obviously, it has commercial use in the New-
castle basin. Likewise, the pipeline from Casino will head north to South-East Queensland, 
providing obvious commercial benefits there. That leaves a void for about one million people 
in between those two locations, who, potentially, will be incredibly frustrated about the inabil-
ity to access their own gas for household or small business use. That is where RDA mid-North 
Coast wants to kick in and is doing a user survey, a market survey, of the high-demand energy 
users within the area who will, hopefully, drive some commercial decisions. That survey is 
currently underway. A request has been made for some support from the federal government. I 
think it is an exciting example of regional development at work. This body is now pulling 
together the councils, the businesses in the region and looking at ways that gas—liquefied or 
in another form—from these two locations can reach the small businesses and the households 
in the region in an era where electricity prices are heading only in one direction, and that is 
up. This is a project to be supported, and I would urge the Prime Minister and the executive of 
government to show that support through some adequate resourcing for the project. *(Time 
expired)*

**Shortland Electorate: 25th Lake Macquarie Sports Awards**

*Ms HALL (Shortland) (9.39 am)*—On Saturday, 13 February, I attended the 25th Lake 
Macquarie Sports Awards. The event was held at the Belmont 16 Foot Sailing Club and rec-
ognised the enormous contribution that a number of people have made to a variety of sports 
and across a number of areas in Lake Macquarie. Lake Macquarie has a very proud sporting 
record and has been the home of many Australian representatives in various sports.

During the year, the Lake Macquarie Sports Council recognises all sporting achievers on a 
monthly basis, and some 391 people were recognised in 2009. The finalists all get a medal 
and those people who are successful receive awards across a number of categories. This year, 
the Norm Johnson Memorial Administrator of the Year went to Robert Holland for the sport 
of cricket. I am sure everyone knows about his achievements as a player and an Australian 
representative in cricket, but he has also put 42 consecutive years into the administration of
the Southern Lakes District Cricket Club, and this award for his outstanding contribution was well earned.

There is an award for an athlete with a disability—it is a scholarship—and that went to Troy Puttergill for the sport of swimming. Prior to becoming a member of parliament, I worked with Troy in a different capacity. He is a young man who has autism and he has been an outstanding athlete in the area of swimming. He has won four gold medals and one silver medal in the Special Olympics. He has won New South Wales gold. He has represented Australia in a number of swimming meets. And he can swim just about as fast as our competitors in other areas.

The Junior Female Sportsperson of the Year was Rachel Jones from the sport of BMX. The junior female encouragement award went to Aliza Huff. The junior male sporting award went to Tony Iacconi and the junior male encouragement award went to Shaun Swadling. The masters sporting award went to Jennifer Enderby and the Sportsperson of the Year went to Nathan Outteridge for his outstanding performance in the sport of sailing. I commend these fantastic achievements to the House. And I would like to table this document that details the achievements of all these people. *(Time expired)*

**The DEPUTY SPEAKER (Ms AE Burke)**—Is there any objection to the document being tabled? There being no objection, the member can table the document.

**Gippsland Electorate: Medical Workforce**

**Mr CHESTER (Gippsland) (9.43 am)**—I rise to raise my concerns about the crisis in the rural health workforce. I deliberately use the word ‘crisis’, not to sound alarmist but to endorse the term used by the Rural Doctors Association of Australia in its presentation to members of parliament this week. I readily accept that providing quality health services to all Australians, regardless of their postcodes, is an enormous challenge. But, as we have seen repeatedly, the state Labor administrations are simply not up to the job. They have failed miserably in New South Wales and there is plenty of room for improvement in Victoria.

Today I want to focus on the need to attract and retain more Australian trained doctors in rural and regional Australia. Our nation has become too reliant on overseas trained physicians—and I am not criticising them individually, but I question the moral legitimacy of taking doctors from countries which often have health systems poorer than our own. Many of the doctors we are recruiting have an important role to play in improving the health outcomes of their own nations.

My concern is that recruiting overseas doctors is a stopgap measure that does not overcome the long-term shortage in rural health professionals. The RDAA reports that overseas trained doctors now make up almost 50 per cent of Australia’s rural doctor workforce—and I must stress they make an important contribution to our regional communities. Approximately 25 per cent of doctors working in rural Australia are aged 55 years or over. They are obviously nearing their retirement age but there are very few young Australian trained doctors lining up to replace them. The RDAA reports that at least 1,800 additional doctors are urgently required in regional Australia and the critical shortage of rural doctors means that many country families are facing long waits to visit their local GP.

In Gippsland many towns are experiencing difficulties in attracting and retaining GPs. As our community ages, it is inevitable that complex health needs will present and we will need
more GPs in rural areas. As individuals who are passionate about the future of regional communities we need to work with organisations like RDAA to promote the benefits of regional practice. We can certainly do better at selling the message of a rich and varied life in some of the most beautiful parts of Australia. I note that many Gippsland doctors, such as Dr David Campbell, Dr Peter Stevens and Dr David Monash, are doing their part by promoting rural practice and helping to train students in our community. But as members of parliament we need to get the policy setting right.

I am attracted to the solutions of the RDAA, which include ensuring that all proposed health policies and actions must be rural proofed. Forcing governments to obtain independent assessments of the impacts of proposed policies on existing rural health services has a great deal of merit. I am also supportive of the view that a rural rescue package should be urgently introduced by the federal government to attract and retain more doctors in regional areas, particularly to attract junior doctors to rural practice. There needs to be a better system of incentive payments to attract young doctors to rural areas and more support services to make sure that they enjoy the experience and stay for the longer term.

With the increased number of young medical students currently in training, who are undertaking their courses at the moment, we have an opportunity now to do everything in our power to make sure that at least a reasonable number of those young students choose rural practice. I fear that if we miss this opportunity the crisis in the rural health workforce will only worsen over the next decade. I commend the activities of the RDAA in its effort to promote the opportunities of living and working in regional Australia and to provide a major contribution to rural health needs of our nation. (Time expired)

**Sri Lanka**

**Ms McKEW** (Bennelong—Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government) (9.46 am)—Like many other members of this parliament, indeed many members of the international community, I welcome the end of decades of conflict in Sri Lanka. In my electorate there are a number of residents of Sri Lankan origin, of both Tamil and Sinhalese background, who have told me about the shocking effects that protracted conflict has had on both sides.

Sri Lankans who have chosen to make Australia their home have, of course, built vibrant communities here. In my electorate the Eastwood Tamil Study Centre has drawn together Tamil-speaking young people and their families for over 20 years. These communities are full of hard-working individuals, many of them professionals, and I note a particularly strong representation in the medical profession.

Members of both the Tamil and Sinhalese communities have shared with me their understandable concerns about the plight of those in their homeland. The Australian government has stated repeatedly that the time has come for the Sri Lankan government to win the peace by forging an enduring political settlement for all Sri Lankans. But, of course, recent events, including the arrest of opposition presidential candidate General Fonseca, are not encouraging. The Australian government is also aware of reports regarding threats against Sri Lankan journalists, including those working for government owned newspapers and television corporations. As the Minister for Foreign Affairs, Stephen Smith, has said, Australia’s belief is that Sri Lankan democracy, rule of law and security would be enhanced by a strong civil society and an independent and free media.
While there has been some recent progress in resettling internally displaced citizens, the humanitarian challenges facing Sri Lanka are intense. The government has consistently stated, both during the conflict and since, that the welfare and protection of civilians must be the absolute priority. As a friend of Sri Lanka and Sri Lankan people, Australia continues to offer its assistance. In November last year the Australian government committed $11 million to support resettlement, and that brings the total humanitarian assistance to date to $49 million. To date, more than 160,000 people have been voluntarily resettled into their districts of origin. But unfortunately, that means that more than 100,000 people remain displaced across 15 camps in Sri Lanka. These are predominantly Tamil people, but prior to the end of the civil war both Sinhalese and Muslim people were also displaced by the fighting.

The Australian government continues to encourage the Sri Lankan government to proceed with voluntary settlement. In the interim, Australia has consistently supported the improvement of camp conditions. We continue to work with Sri Lanka towards social and political reconciliation and the reform and economic restoration of a prosperous, secure and peaceful future for all the people of Sri Lanka.

McMillan Electorate: Paid Maternity Leave

Mr BROADBENT (McMillan) (9.49 am)—This week I was with the children of St James School at Nar Nar Goon, in my electorate of McMillan. They reminded me of why I am here. Children are our today, our tomorrow and our future hopes and dreams in human form. Their future and the future of our country are inextricably linked to how well our generation supports families as they prepare their children for the challenges ahead. The level of support the community provides must reflect the value that society places on its children and the role of parents in the development and upbringing of those children.

Sadly, Australia lags behind the rest of the developed world in the support it provides parents in the crucial months after the birth of a child. Of the 25 countries listed in an Organisation for Economic Cooperation and Development chart, Australia spends the third-lowest amount on maternity and parental leave payments per child born. Only around half of employed mothers and a somewhat smaller share of fathers are currently eligible for paid parental leave as part of arrangements privately negotiated with employers. As is often the case, we also find that access to employer provided paid maternity leave is inequitable. The level of access is highest for those women earning $1,000 a week or more and all but disappears for those earning less than $200. The Productivity Commission in its report on paid parental leave said:

There is compelling evidence of health and welfare benefits for mothers and babies from a period of postnatal absence from work …

It acknowledges:

There are also reasonable grounds to expect benefits from longer periods of exclusive parental care up to nine to 12 months.

This should be flexible and tuned to the requirements of the parents. There is also compelling evidence from industry of the benefits to the economy to be had from the provision of paid parental leave. The Equal Opportunity for Women in the Workplace Agency found in a survey that the number of women who returned to work after childbirth increased dramatically where they had access to parental leave. The agency cites the experience of the ANZ bank. It increased its paid parental leave provision from six weeks to 12 weeks for the primary caregiver.
and between 2004 and 2005 reported a decrease in turnover rates and an increase in the percentage of female employees returning from parental leave—89.9 per cent in 2006—and an increase in the recruitment of female graduates.

Finally, I would like to read an email from a constituent, Dr Marjorie Linton, of Foster, urging support for paid parental leave. She wrote:

I have relatives in Norway who receive 12 months paid leave.

One of my young friends there was able to spread the leave out, so that mother took 12 months at reduced pay, and the father took 9 months the following year.

What a great thing for parents and their baby.

Surely Australia can afford this, especially as such a scheme would be of great benefit to our children, who after all will be adults soon. I am sure this will make for a healthy nation—in mind, body and soul.

Fremantle Electorate: Gimme Shelter Benefit Concert

Ms PARKE (Fremantle) (9.52 am)—I rise to speak about the great success that was the Gimme Shelter benefit concert, held on Saturday, 20 February, on the beautiful grounds of the Fremantle Arts Centre. For the third year in a row, the people of Fremantle answered the call to support Gimme Shelter in its campaign to ensure that the St Patrick’s Community Support Centre was able to continue providing meals and crisis accommodation to the homeless and vulnerable in Fremantle. Instead of lurking in the shadows of community consideration, homelessness was in the spotlight on this special night. At the concert I told a story I had heard about a homeless man who was shaking a set of keys with a big smile on his face and saying, ‘I’ve got a place.’ But he ended up spending most of his time on the streets anyway because he did not know anyone other than other homeless people, and an empty room is very lonely.

The causes of homelessness are many, but at the heart of it is a lack of connectedness. Belonging somewhere is about belonging with other people—like a family or a local community. That is why Gimme Shelter goes to the very core of how we tackle homelessness. Gimme Shelter is about community action and it is about music as a way of connecting people, of bringing them together. For the third year in a row, there was an impressive line-up of local talented acts. This year Kavyen Temperley from Eskimo Joe and Steve Parkin, Blue Shaddy, Matt Gresham, Moana Dreaming and one of our more recent Fremantle residents, Ben Elton, donated their time to ensure an entertaining night for the 1,800-strong audience. For the third year in a row, the perennial Gimme Shelter mainstay, the amazing Starlight Hotel Choir—members of which are mostly clients of St Pat’s—shared its uplifting voice on what was a night celebrating social inclusion and engagement.

A growing list of businesses kindly donated funds or resources: Luke Willet and CCA Productions, the Fremantle Herald, Gateway Printing, the City of Fremantle, Bendigo Bank, Fremantle Ports, Sunset Events, Fremantle Marks, McDonald Pynt Lawyers, Reclink, RTR FM 92.1, XPress Magazine, Drum Media, the Norfolk Hotel, Lawrence Business Management, Red Hot Design, ING Real Estate, Heatseeker, Access Housing, TLS Productions, Rossi Boots and the Poster Girls. Many individuals also volunteered their time and talents to what has truly become a community effort. This heartening display of generosity has meant that all the ticket sale proceeds—$45,000—will end up being spent for their intended purpose: on purchasing food and providing crisis accommodation. Thanks to all these volunteers, espe-
cially the tireless Dave Johnson and Phoebe Corke, for making this event happen again. Only by continuing this kind of social engagement, social inclusion and community action will we be able to truly tackle homelessness. The organisers of the concert have formed the not-for-profit Gimme Shelter homeless association. This association will strengthen the efforts in Fremantle while also beginning the work of taking the positive Gimme Shelter concept to other communities seeking to provide shelter in its broadest sense to Australia’s most disadvantaged.

**Macarthur Electorate: Housing**

**Mr FARMER (Macarthur) (9.55 am)**—I rise to speak on the appalling lack of public housing in New South Wales. I would like to highlight an article from my local paper, the *Campbelltown-Macarthur Advertiser* about a mother of six who was offered a home that was boarded up. It had a stench of urine. They had to use a crowbar to open the front door for the home offered to this family with six children by the Department of Public Housing in New South Wales.

Public housing is at crisis point in New South Wales. All we see from the New South Wales government is higher land taxes, which in turn force the mums and dads out of investing in private properties, which means that there is a shortage in the market, which means that the government has to provide more housing and they do not have enough money to do that. This means there is a shortage of housing and people in electorates such as mine of Macarthur and living in areas such as Claymore, Macquarie Fields, Airds—and particularly this case in Rosemeadow—have to put up with these sorts of place to live in or they live on the streets. Believe me, many many people in Sydney and in New South Wales are living on the streets and under bridges and in canal ways rather than taking up the offer of New South Wales public housing to live in these urine smelling places that are offered to them. Something has to be done about this.

Kevin Rudd said, when he was running around trying to be elected at the last election, that when he was in government the buck would stop with him. I am asking him to please do something about this situation. We have seen a billion dollars wasted on a program of insulation in the roofs of houses right across the nation to try and help the environment. I understand that is important but there are three basic needs of every single human being. They are housing or shelter—number one—then food and fresh water. It does not matter where in the world that you travel to—these three basic needs need to be met as a sign of humanity for all people and they are not being met in New South Wales and something needs to be done about this.

I ask this government in power at this point in time to please speak with their mates in the New South Wales government, to please help people like Tracey Abigail, the single mother of six child in my electorate who tried to get into a house at Rosemeadow and cannot find any accommodation and the many other people that live on the streets in New South Wales. I ask to table an article by Soraia Gharahkani from my local paper, the *Campbelltown-Macarthur Advertiser*, to highlight this issue. It is an issue that I will continue to fight, whether I am in this House or if I find myself somewhere else at a later point in time. It is something that people need to stand up for and work right across this country for.

Leave granted.
Moreton Electorate: Australia Day

Mr PERRETT  (Moreton) (9.58 am)—Last month I was pleased to join in Australia Day celebrations throughout Brisbane’s southside. There is no greater honour in this job than to be present as New Australians make their pledge acknowledging the rights and responsibilities of Australian citizenship. This Australia Day I presided over more than 300 citizenship commitments. I want to thank the Kuraby Lions, the Moorooka Lions and Archerfield Rotary for their wonderful efforts in coordinating the Moreton citizenship ceremonies and also acknowledge my own club Macgregor Lions for their very successful ceremony held in the soon to be opened Clem7 tunnel.

I also took the opportunity to recognise local community heroes through the Moreton Australia Day awards. I want to mention each and every one of them because they are the people who give so much of their time and energy to help make Brisbane’s southside great. They are: Robin Blackson from Yeronga Op Shop; Sacha Pace, Life Church, Salisbury; Senayt Mebrahtu, Abyssinian Dance Group; Roy Rickuss, Holland Park 3 Neighbourhood Watch; Kerry Cody, Yeronga District Residents Association; Graham Ross, Stephens RSL Sub Branch and Greenslopes Private Hospital; Mary Albury, disability advocate from Moorooka; Brian McCarthy, Coopers Plains Neighbourhood Watch; Tracey Everett, Upper Mount Gravatt Neighbourhood Watch No. 10; Annette Forrest, Montrose Access; Robert Wilshire, Sherwood AFL club; Beryl Smith, Sunnybank Private Hospital; Anthony Clifford, Clifton Hill Scout Group; Peter Hume, Clifton Hill Scout Group; Aileen Kelly, St Sebastian’s Parish, Yeronga; Christine Liu, Taiwan Women’s League of Queensland; Even Chang, Buddha’s Light International Association of Queensland; Beverley Drysdale, Calamvale Lions Club; Cheryl Riding, Runcorn State School Amateur Swimming Club; Diane George, Waltzing Matilda Disability Bowling League; Dorothy Rowell, Sunnybank Red Cross; Edmond Lau, Lions Club of Brisbane Chinese; Jan Kennedy, Tennyson Resident’s Association; Katie Rowley, Stretton State College; Kushla Sahai, Indian Senior Citizen Association; Lola Brewer, Sherwood/Indooroopilly RSL Sub Branch; Lewis Lee, Lions Club of Brisbane Chinese; Xue Li, Queensland Chinese Forum; Mary Pahl, Sunnybank Private Hospital; Peter Huang, the Yong Foundation; David Yohan, support for refugees, Runcorn who is also a Comcar driver incidentally; Mikaela Shorter, Romanian children’s hospital; Betty Milosevic, a community volunteer.

I do want to make special mention of Liane and Glen Woodcroft, the winners of the Sir James Killen Award for Outstanding Community Service. Liane and Glen are the kind of people you want living in your neighbourhood. They have lived in Moorooka for more than 50 years, and together help and support those who are less fortunate. Through St Vincent de Paul they regularly distribute food parcels and vouchers and also repair and donate bikes to needy children.

Lady Benise Killen was kind enough to turn up on the day and help present the awards in honour of her late husband and the former Liberal member for Moreton, Sir James Killen. He was a member who was well loved throughout the electorate. Finally, I would also like to thank the organisers for the day, Councillor Steve Griffiths, the ward councillor for Moorooka, and the Moorooka Lions Club, which put on a great barbecue and ceremony. There was also Simon Finn, the member for Yeerongpilly. They organised a great Australia
Day celebration at Pegg’s Park in Moorooka. I look forward to the same calibre of volunteers coming out of the woodwork for next year.

The DEPUTY SPEAKER—I want to commend the member on his ability to get all that on the record. In accordance with standing order 193, the time for members’ constituency statements has expired.

MINISTERIAL STATEMENTS

Indigenous Affairs

Debate resumed from 24 February, on motion by Mr Snowdon:

That the House take note of the document.

Mr SNOWDON (Lingiari—Minister for Indigenous Health, Rural and Regional Health and Regional Service Delivery) (10.01 am)—by leave—Let me first acknowledge the First Australians, one of the oldest continuing cultures in human history and the traditional owners of the land on which we meet, and their ancestors past and present.

Two weeks ago the Prime Minister tabled the second annual report on closing the gap. The Closing the gap report demonstrated the commitment by the Rudd government to an open and transparent reporting of progress to the Australian people. From the outset we do acknowledge that there is much to be done to improve Indigenous disadvantage. We recognise that this is a national priority which will not be achieved in a parliamentary term. We can, we must and we will continue to work together to improve the status of First Australians.

We are acutely aware of the gap in life expectancy between Indigenous persons and non-Indigenous persons born today, which is 11.5 years for males and 9.7 years for females. Aboriginal and Torres Strait Islander children are twice as likely to die before the age of five as their non-Aboriginal or Torres Strait Islander counterparts in this country. In particular, babies that are underweight are at greater risk of dying during the first year of life and are prone to ill health as they grow older. Evidence shows that chronic disease such as heart and respiratory disease, diabetes and cancer are responsible for more than 60 per cent of the health gap. Almost 20 per cent of this gap is attributable to smoking alone.

We know that the data needs improvement and we are working towards addressing this. However, this will not detract from the fact that, in 2010, Aboriginal and Torres Strait Islander people are still dying earlier than non-Aboriginal and Torres Strait Islander people in this country, and from unnecessary disease.

I acknowledge the Close the Gap Steering Committee for Indigenous Health Equality’s recently released Shadow report on the Australian government’s progress towards closing the gap in life expectancy between Indigenous and non-Indigenous Australians. The close the gap steering committee report represents the voice of our key stakeholders and provides an assessment on government progress against the close the gap statement of intent, signed by the Prime Minister, the Minister for Health and Ageing, the Minister for Families, Housing, Community Services and Indigenous Affairs, the Leader of the Opposition, Aboriginal health leaders and others in 2008.

The report identifies three commitments that need continuing effort, which I will now respond to. Firstly, there is a comprehensive, evidence based long-term and targeted plan of action. The shadow report calls for a comprehensive long-term plan of action that is targeted
at need, that is evidence based and is capable of addressing the existing inequalities in health services in order to achieve equality of health status and life expectancy between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians by 2030. Addressing Indigenous disadvantage is a national responsibility. COAG has agreed to a comprehensive national plan for closing the gap in Indigenous disadvantage which is broadly articulated through the National Indigenous Reform Agreement and the National Integrated Strategy for Closing the Gap in Indigenous Disadvantage. This is the basis of a long-term strategy, and investment is targeted, guided by evidence and outcome based.

The government has committed an unprecedented $4.6 billion to tackle disadvantage through early childhood schooling, health services and economic participation, healthy homes, safe communities, governance and leadership. In health alone the Commonwealth is committing more than $805.5 million to tackle chronic disease, which research has shown is the single largest contributor to the current life expectancy gap. For the first time under COAG governments have agreed to targets. In the health arena they are to close the gap in life expectancy within a generation and halve the gap in mortality rates for Indigenous children under five by 2018. This is the measure of our action and a clear demonstration of our commitment.

The shadow report calls for the full participation of Aboriginal and Torres Strait Islander peoples and their representative bodies in all aspects of addressing their health needs. Consultation and partnerships with Aboriginal and Torres Strait Islander people are central to implementing the COAG Indigenous chronic disease package. The state and territory level Indigenous health partnership forums—comprising the Aboriginal community controlled health sector, the Commonwealth government, state and territory governments and a number of divisions of general practice—are the primary vehicle for providing advice on the implementation of this package. The National Indigenous Health Equality Council, comprising key stakeholders and individuals in Indigenous health, provides the government with regular policy advice and monitoring of the government’s progress with Indigenous health. This council reports to me. More broadly, the government is establishing a new representative body, the National Congress of Australia’s First Peoples, in recognition of the need for a strong voice for Indigenous Australians.

The shadow report also calls for support and development of Aboriginal and Torres Strait Islander community controlled health services in urban, rural and remote areas in order to achieve lasting improvements in Aboriginal and Torres Strait Islander health and wellbeing. The Commonwealth government is investing more than $324 million per year across more than 170 community controlled health services to improve access to health care tailored to meet the needs of Indigenous Australians. This represents a 33 per cent increase over funding in 2007-08.

The government’s commitment was recently brought to the fore when a historic agreement called Pathways to Community Control was developed. This is a four-year strategy for Aboriginal community controlled health services to design plans to address their own health needs in the Northern Territory. Since 2007-08, approximately $13 million has been invested to support those community controlled health organisations to meet best practice and quality standards accreditation. Since we were elected to government, funding of almost $1 billion was allocated across the Health and Ageing portfolio in 2009-10 to health programs specific to
Aboriginal and Torres Strait Islander peoples. These recent investments equate to a 57 per cent increase in Indigenous health funding across the portfolio since the 2007-08 budget.

Not only are we targeting chronic disease; a total of $112 million will be invested as part of COAG’s ‘New Directions: an Equal Start in Life for Indigenous Children’ to help tackle health problems during early childhood. Earlier this month I joined the Prime Minister and Ministers Macklin and Roxon to announce the funding of 10 new services to provide child and maternal health services to Indigenous mums and bubs. This is in addition to the 43 existing services that have been funded and are currently operating. That means a total of 11,000 Indigenous mothers and their babies will be assisted over five years, and this is just one of a number of ways we are helping close the gap in infant mortality.

Significant activity has taken place within my own community of the Northern Territory. Between July and December 2009, a total of 390 ear, nose and throat consultations were provided to 385 children with an ENT referral. In addition, a total of 1,990 dental services were provided to 1,429 children who live in the Northern Territory. A workforce of 273 additional health professionals have been placed in remote primary healthcare services on short-term placements as part of the Remote Area Health Corps, RAHC. This included 31 GPs, 178 registered nurses, 22 allied health professionals and 42 dental personnel.

We also acknowledge the need to increase the capacity of our primary healthcare workforce to ensure effective health care is delivered. As part of our COAG commitment we have directed $170 million to workforce expansion. In the Closing the gap report released this month the government announced the appointment and recruitment of 94 new Indigenous project officers and 83 Aboriginal and Torres Strait Islander outreach workers in health clinics and organisations across the country. These new positions can help individuals move towards Aboriginal and Torres Strait Islander health worker positions or enrolled nursing. In addition, the Commonwealth will provide 75 extra health professionals and practice managers in Indigenous health services, 38 new GP registrar training places in Indigenous health services and expanded nurse scholarships and clinical placements.

Just last month I launched the National Aboriginal and Torres Strait Islander Health Workers Association to provide advocacy, support and mentoring for the existing 1,600 Aboriginal and Torres Strait Islander health workers across the country. This is an initiative the sector has been calling for for more than 30 years.

In particular, there is an area where we believe much more needs to be done. This is to address smoking in Aboriginal and Torres Strait Islander communities. Last week I was able to announce the appointment of Tom Calma as the national tobacco coordinator to help address the unacceptably high risks of smoking in Aboriginal and Strait Islander communities. The Commonwealth has committed $100.6 million in the COAG Indigenous health national partnership agreement to tackle Indigenous smoking. That is in addition to the $14.5 million made available in 2008.

A number of tobacco control projects are being implemented to assist Indigenous Australians to quit smoking. Six projects are currently underway in New South Wales, Queensland and the Northern Territory. I will be announcing a further 14 projects next week. These projects focus on building an evidence base for reducing Indigenous smoking rates by trialling various interventions in different communities.
We need to understand the importance of this. Tobacco accounts for 20 per cent of deaths amongst Aboriginal and Torres Strait Islander Australians and 12 per cent of the burden of disease. We must reduce smoking amongst Aboriginal and Torres Strait Islander people if we are to effectively close the gap in life expectancy between Aboriginal and Torres Strait Islander Australians and the rest of us.

I want to make some observations about the importance of the Aboriginal community controlled health sector. I have been fortunate to have been associated with people in the Aboriginal community controlled health sector for over 30 years. I am constantly reassured by the level of professionalism, dedication and commitment of the professionals who work in these health services across the country. They are extremely good examples of what comprehensive primary healthcare organisations can look like. The fact that we have in excess of 150 of them operating across the country is an example of what can be done when you invest appropriately in community based services.

In a number of states, the Aboriginal and Torres Strait Islander health sector is embracing the COAG Indigenous Chronic Disease Package. Earlier this month I helped promote free health checks for Aboriginal and Torres Strait Islander people with former rugby league star Steve Renouf at the National Rugby League All Stars game on the Gold Coast, which was a resounding success. It was a great privilege to be there. It was a very important community event. This event was pioneered by Queensland’s peak body for the Aboriginal community controlled health sector, the Queensland Aboriginal and Islander Health Council, QAIHC, in partnership with their national affiliate. This promotion is a key first step in detecting a chronic disease and providing the necessary prevention and intervention that is required and can be accessed through the COAG Indigenous Chronic Disease Package.

Change is happening. The Prime Minister’s second Closing the gap statement is a demonstration of this government’s commitment to ongoing, open and transparent reporting of progress. Closing the gap is a national priority that should be above party politics, and I hope it is. This government is committed to delivering action, not just words, but we must keep up the momentum. We must ensure that we take along as partners in this process people who work in the public sector and the private sector and that, most importantly, we provide as far as we possibly can a capacity for ownership and decision making by the Aboriginal and Torres Strait Islander communities.

I am enthused by the way in which the state and territory governments have embraced the obligations under the closing the gap initiatives. We have a joint partnership of $1.6 billion for health initiatives. I am committed to making sure that these initiatives meet their objectives. It is really very important that we understand that it is not just health that we need to address; we need to look at social determinants of health, which include such things as housing, education and employment.

Whilst it is important that we have first-rate primary healthcare services, as we do, it is also important that we understand that the best way to ensure the long-term health outcomes for Aboriginal and Torres Strait Islander Australians is to prevent them from getting these chronic diseases in the first place. Prevention is very much at the forefront of what we are about. Again, we will do this in partnership with the Aboriginal and Torres Strait Islander health community and the Aboriginal and Torres Strait Islander communities generally. I am enthused by the desire for participation, engagement and ownership by the Aboriginal and Tor-
res Strait Islander health community and I am looking forward to continuing to work closely with them.

Ms GRIERSON (Newcastle) (10.16 am)—It is a pleasure to speak on the Closing the gap report and to follow the member for Lingiari, the Minister for Indigenous Health, Rural and Regional Health and Regional Service Delivery, Mr Snowdon. I again acknowledge and thank him for his work. Last year he came to Newcastle for the national Indigenous health conference and his genuine concern, interest and knowledge were warmly appreciated by the participants. It is always interesting to have Minister Snowdon visit, because he knows people from all around this nation in the Indigenous community. I just know that the movement having come so far in terms of Indigenous men’s participation in health care is in part a tribute to his work over many years.

On 11 February this year the Prime Minister tabled his second Closing the gap report in parliament. It was a highly significant occasion. It had been two years since the Australian parliament made a formal apology to the stolen generations. One of the highlights and privileges of my career here will forever remain sharing in that most generous welcome from the Indigenous people. It was the first smoking ceremony we ever had in parliament. I was taken aback by the generous spirit of the Aboriginal and Torres Strait Islander people. I thought it was we who were extending generosity, but it was not. It was the greatest and warmest welcome I have ever felt from fellow Australians and the First Australians.

It is time that we have an official welcome and acknowledgement of the First Australians in every session of parliament. There is always debate about the prayers and protocols, but I think that whenever the parliamentary session is opened it would be very appropriate to formally acknowledge and recognise the First Australians and their ownership of this great land.

In the two years since the first apology, for the first time the parliament has reached a national agreement with all the states and territories on closing the gap. I do not think we should underestimate how difficult it is to get all the states and territories aligned in purpose, and aligned in financial commitment as well, to achieve the same outcomes. Since that time there has been a national investment of $4.6 billion directed towards common goals, now shared around this nation, to transform the health, education and employment outcomes of Indigenous people. Two years ago we set six closing the gap targets. It was recognised that it will take a generation. One generation is not a very long time in history, but we cannot afford to wait longer than that to close this gap.

Before going through those targets I would like to acknowledge a staff member of mine, Sharon Claydon, who has been very active in Indigenous affairs and who put these same targets at a state ALP conference in New South Wales. Sharon was instrumental in working with an ALP committee to get these targets recognised. I do acknowledge her work. It is wonderful when individual members of a large political party can make a difference. The difference that she was committed to comes from her very long experience in working in the Fitzroy Crossing area in Indigenous communities. The target was to close the gap in infant mortality between Indigenous and non-Indigenous Australians. Currently we are seeing a decline in the rate, particularly evident over recent years. It now stands at 5.3 per cent, but we do have to improve that data as much as we can. We have targeted mothers and baby services programs. In 2008 the gap in child mortality meant that 205 out of any 100,000 Indigenous children died before the age of five, compared to 100 non-Indigenous children. This difference was cer-
tainly unacceptable. We are seeing, very slowly, that gap being closed. We have, as I said, rolled out many new services.

The second target was to provide access to early childhood education. I know that the Prime Minister acknowledged that some of the improvements come from better data collection and from finally having statistics from around the nation, but to know that 60 per cent of Indigenous children are enrolled in early childhood education programs in the year before school is very pleasing. It is not the same as the 70 per cent of non-Indigenous children, but it does mean that some of those programs that we have tried to target in early intervention are certainly now becoming accepted and entrenched into our communities.

The third and fourth targets were to halve the gap in literacy and numeracy achievement. We have been focusing very much on the results there. Literacy and numeracy scores have varied, but in 2009 there was an improvement in the gap between Indigenous and non-Indigenous students’ reading in years 3, 5 and 7. For year 9 students, unfortunately, the gap slightly increased. Having been an educator all my life I do know that, if you do not get to children early, if they are failing in year 7, then by year 9 it is generally compounded rather than turned around—and the My School website bears that out. The other indicator, the number of Indigenous students achieving a year 12 or equivalent attainment, is improving, but a long-term view is necessary. It will take a long time to achieve that target.

Our fifth target was to halve the gap in employment outcomes between Indigenous and non-Indigenous Australians and it is a target about which we have seen some very concerted effort. It is still well below the non-Indigenous employment rate in 2008, but the most recent available data indicates there was a 21 per cent gap between Indigenous and non-Indigenous employment. It is an improvement, but it is certainly going to take time. The life expectancy gap is the accumulative target and the beneficiary of all of these measures if we are successful. An Indigenous male born today is likely to die at just 67 years of age and an Indigenous female at 73 years of age. This is less than the 17-year gap that we thought existed a year ago. It is good news but, again, statistics have now been available to us that have never been available to us before. I think it is very wise that the Prime Minister has said that this is a long journey that we need to take. We cannot just use statistics; we do have to depend on those partnerships across the states and territories and across Indigenous and non-Indigenous people.

I would like to take a little time to emphasise the benefit of some of the major expenditure in my own electorate of Newcastle. The Rudd government has provided millions of dollars in funding to support local Indigenous groups. More Aboriginal people live in New South Wales than in any other state, and 20 per cent of the New South Wales Indigenous population lives in the Hunter region. I think sometimes people do not realise the significance of our Indigenous populations in our urban communities, and I think it is sensible to keep reminding people that major regional centres like Newcastle and the Hunter region are home to many, many Australian Aboriginal people.

The Worimi and Awabakal peoples have been very active in our area for a long time. It has been easier to support them because they have developed considerable social infrastructure over many years. But I want to call particular attention to the almost half a million dollars in funding over the next three years for local Indigenous service provider Wandiyali ATSI Inc. To be a service deliverer of such depth and to receive so much funding shows that their work...
is extensive. Wandiyali will receive that funding under the Australian government’s new $37 million Indigenous Community Support Service.

We have given over $100,000 to the Newcastle Family Support Services Inc. for its Koti Bulla Umullan Project. Then there is funding for the Loft Youth Venue. Of course, the most significant demographic groups for Aboriginal populations are young people, so we cannot ever do quite enough for them. We have given $33,398 to the Loft Youth Venue for its ongoing Indigenous cultural support program. If you go to the Loft Youth Venue in our area you will see a recording studio, events training, management training—you will see young people actually developing their skills and strengths around the cultural programs and activities they enjoy.

Almost $400,000 was given to the Indigenous languages, arts and culture program. It was wonderful when the Prime Minister visited my electorate for the seventh community cabinet and was presented with a book on Indigenous languages. This work is ongoing but long overdue. We have also given almost $345,000 to the Arwarbukarl Cultural Resource Association for IT and training resources; another $33,000 to the Loft Youth Venue for arts and cultural training for Indigenous youth; $10,000 to the Muloobinba Aboriginal Corporation for cultural programs for Indigenous men; and last year the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon. Jenny Macklin, and I announced $500,000 for a mobile playgroup program to be established in 20 regional and remote Indigenous communities across Australia, and delivers a range of activities to around 2½ thousand children.

At the other end of the education system, I note that this year the Wollotuka School of Aboriginal Studies at the University of Newcastle has reached a new height with more than 500 Indigenous students enrolled to study at the university. They are now studying across a wide range of disciplines—and I have said many times in this House that most Indigenous GPs were trained at Newcastle university. It is a long-established endeavour and Wollotuka, having its own school of Aboriginal studies, has provided the necessary pastoral support to young Aboriginal students coming from all over the state—and I think that this achievement is a tribute to them and their success. Just yesterday the university launched two Indigenous health programs designed to improve outcomes for pregnant Aboriginal women. This involves not only the Newcastle university but also the Hunter Medical Research Institute, which has an outstanding mothers and babies program, and Hunter New England Health.

Finally, I would like to mention Newcastle Knights player Cory Paterson for his amazing effort playing for the Indigenous All Stars in the recent NRL match. It was a delight to see so many people enjoying themselves, and it was wonderful to see the Indigenous team victorious. Cory can take great comfort from the fact that he gave a very solid performance—one that Kurt Gidley will not forget for a long time. Newcastle also had an off-field representative, as Country Rugby League vice-president John ‘Choc’ Anderson, the formal Newcastle rugby league chairman, was one of the team’s co-managers.

In conclusion, I would like to acknowledge that closing the gap is a high ideal, an ambitious ideal but a long-overdue ideal. As Minister Snowdon said before, it has bipartisan sup-
port in this House, and something that we would all like to have against our record as members of parliament is that we made a difference. I think this is happening now. I know in my own community the partnerships are strong, the history is strong, and the faith and hope remain particularly strong. There is hope as we, the Australian government, Indigenous leaders, the Indigenous community and the Australian people, continue to address inequalities and work to eliminate them. That is how progress will be made, progress that needs to come from the ground up, but by providing support in the frameworks underpinning success. Our job as government is to support and facilitate this progress. By doing so, we will lessen child mortality rates, improve literacy and numeracy levels, create job opportunities, increase access to health services and, we hope, continue to close the gap for life expectancy rates.

Ms HALL (Shortland) (10.31 am)—It is with great pleasure that I stand to speak on the Prime Minister’s Closing the gap report. This is the Prime Minister’s second annual Closing the gap report, and the speech that he made in parliament in February details the advances that have been made and the challenges that still exist in closing the gap. Three basic principles have been set out in the report: the clear acknowledgement of previous wrongdoing and failure of policies, which was set out in the apology in February 2008 and is the basis for this report; a practical commitment to closing the gap, which is where this report gets its roots; and a commitment to transparency and accountability.

When I was first elected to this parliament I was on the House of Representatives Standing Committee on Family and Community Affairs, which undertook an inquiry into Indigenous health and produced a report called Health is life. It was a very detailed report which highlighted a number of areas and actions that needed to be taken to bring about improvements in health—exactly what the Rudd government has been doing in closing the gap. It highlighted the need for investment not only in health but in education and employment and in programs that would improve the whole lives of Indigenous Australians. When we were preparing this report we visited Indigenous communities throughout Australia both in remote and non-remote areas.

The member for Newcastle highlighted that 20 per cent of the Indigenous population in New South Wales live in Newcastle. The largest percentage of the Indigenous population lives in Sydney. The member for Lyne made an outstanding contribution to this debate when he highlighted that we must not forget the needs of people in regions other than remote and rural areas. I grew up on the North Coast of New South Wales. At school I experienced firsthand that Indigenous students did not have the same opportunities as I did in education. Their health was nowhere near as good as my own health and that of my fellow non-Indigenous students.

As far as employment was concerned, the challenges that they faced were much greater than the challenges I faced. My expectations of what I would achieve out of life were very different to their expectations of what they would achieve out of life. I think that is right across the board in Australia. The expectations that Indigenous students have had for a very long time are very different to the expectations that non-Indigenous students have. Those expectations are not only from their own perspective but also from a whole-of-community perspective. People generally tend to live up to the expectations that they and those around them have. A number of experiments have been conducted not only in an Indigenous environment
but in environments throughout the world that have shown that people tend to achieve at the level of expectation that is directed towards them.

The Closing the gap report is placing new expectations on Indigenous Australians as to what they can and will achieve and new expectations as to what the government can actually commit to to help them achieve these expectations. Whether or not they live in a rural and remote area, which is what the Closing the gap report concentrates on, we must be very careful, as I have already said, that we do not forget those other regions because, no matter where an Indigenous Australian lives, their mortality rate is higher. They die younger and get a lot sicker than non-Indigenous Australians, so their mortality and morbidity rates are much different to those of other Australians. More Indigenous Australians are in jail and fewer Indigenous Australians are in highly trained and professional jobs. But it is changing.

The Closing the gap report is one of the tools that the Rudd government is using in its commitment to deliver to Indigenous Australians, and it is about time. The Health is life report was tabled in the parliament in May 2000 and not a lot happened after that. The Closing the gap report has measurable outcomes and it really holds the government to account. We are looking at halving the mortality rates for Indigenous children, under age five, by 2018, and ensuring access to early childhood education for all Indigenous four-year-olds in remote communities by 2013. We all know the importance of education: the start that children receive and that what they learn in those early years is paramount to their success in the future. These are all measurable outcomes that the Rudd government is looking at. We aim to halve the gap in reading and writing and numeracy achievements for Indigenous students by 2018. That means that all Indigenous students will have the opportunities that other students have, because literacy and numeracy provides the opportunities for a secure future. Without good literacy and numeracy skills, your opportunities in life are much less. You must be able to read, you must be able to write and you must have good numeracy skills to obtain those jobs that actually have the greatest returns. You must be able to undertake leadership roles in the community and be able to have the same expectation that a non-Indigenous student can have.

That is why the Closing the gap report is so vitally important. We aim to halve the gap for Indigenous students in year 12 or equivalent in attainment rates by 2020. Year 12 is the key to linking in once again to those jobs at the higher level within our community. Indigenous students need to have the expectation that they can achieve that. This is what the report is doing—that is, it is giving Indigenous students the same expectations that non-Indigenous students have. We aim to halve the gap in employment outcomes between Indigenous and non-Indigenous Australians by 2018. Once again, that means that not only Indigenous students but Indigenous people in Australia will have the expectation that they can enter the employment market on a level playing field with non-Indigenous Australians.

I still visit the North Coast of New South Wales on a regular basis. I have nephews up there who have a number of Indigenous friends—Indigenous friends who completed high school and Indigenous friends who had leadership roles within the school. That would not have happened when I was going to school up there. But Indigenous students, once they leave school, find it very difficult to obtain employment. I visited the local supermarket. I still found that the overwhelming majority of the people working on the checkouts or stacking the shelves were non-Indigenous. Maybe there were one or two Indigenous people or maybe they were not at work on the days that I visited the supermarket. There is a long way to go on employ-
ment of Indigenous Australians. I know that the department is working very hard to address that. The department is following through on the policies of the government to get around that problem, to make sure that those young Indigenous students—whose ability is equal to that of the non-Indigenous students—actually have the opportunity to get those jobs, to work in the supermarket while they are going to school to supplement their income and to obtain a job when they leave school. There are programs that this government is putting in place to address that.

The Rudd government’s performance will be measured against whether or not that is achieved. It will be measured against whether or not those young Indigenous people move from school to employment and whether, as they move into employment, they access the higher level jobs. It will be measured against whether or not this support develops the expectation that they can achieve the same sort of lifestyle that non-Indigenous Australians have. Along with improving their education and the employment goals come the expectations that they will enjoy good health, that they will live as long as non-Indigenous Australians and that they will have access to all the services that they need.

I have not noticed too much disagreement in the House on the report we have before us today. The report we are speaking to is the blueprint for raising the expectations of Indigenous Australians and non-Indigenous Australians, for bringing the communities together—which in itself is an expectation—and for ensuring that the outcomes identified in the report are achieved. I commend the Prime Minister, the minister and everybody else involved in putting together the report and putting together the programs in the communities. I commend them for their commitment to achieving this goal. I will do everything in my power to see that those expectations for Indigenous Australians are raised.

Debate (on motion by Mr Secker) adjourned.

FISHERIES LEGISLATION AMENDMENT BILL 2009

Second Reading

Debate resumed from 25 November, on motion by Mr Burke:

That this bill be now read a second time.

Mr JOHN COBB (Calare) (10.46 am)—I rise to speak on the Fisheries Legislation Amendment Bill 2009. The bill ensures that Australia’s fisheries are adequately protected through the Australian Fisheries Management Authority. It will reduce red tape in fisheries licensing and improve provisions for fish receiver licences and the quota system in the Torres Strait Protected Zone. The Fisheries Legislation Amendment Bill 2009 will amend the Fisheries Management Act 1991 and the Torres Strait Fisheries Act 1984. The amendments provide for three main outcomes: firstly, to improve the ability of the Australian Fisheries Management Authority to provide an efficient and cost-effective fisheries management service through changes to the administration of fisheries licensing and the introduction of electronic decision making; secondly, to ensure that fisheries officers engaged in investigating suspected illegal fishing can be properly equipped to safely perform that function; and, thirdly, to provide for consolidated arrangements regarding fish receiver licences in the Torres Strait.

E-licensing was developed in consultation with the fishing industry. Industry members across the major fisheries, including the Commonwealth Fisheries Association, brokers, companies and individual operators, have tested the functionality and design and they support the
use of e-licensing. Electronic decision making will create greater business and administrative efficiencies. Transactions using the electronic system will cost less than applications made using the paper based system, which require processing by individual AFMA officers.

Amendments to the Fisheries Management Act will explicitly allow some routine, high-volume processes to be undertaken electronically, although it will not preclude manual decision making. As a result, two systems will be available for use by AFMA stakeholders—that is, the continuation of the current paper based system and the new e-licensing system. Associated with e-licensing, the bill removes restrictions on the trading of fishing concessions. Restrictions on the transfer of concessions have been removed by redefining the role of AFMA to that of registering, rather than approving, the transfer of concessions. It also limits AFMA's discretion to refuse to register a transfer to certain prescribed circumstances, such as the suspension of a fishing permit, the levy on the fishing permit being unpaid and the holder being investigated for a fisheries offence.

On the defensive equipment side, AFMA has the responsibility of ensuring compliance with the provisions of the Fisheries Management Act through the investigation and detection of illegal activities by both domestic and foreign fishers in the AFZ and Commonwealth managed fisheries. Under a revised arrangement with the states which came into force on 1 July 2009, AFMA officers are undertaking front-line fishery inspections and patrol activities previously undertaken by state and territory officers. While the ability of AFMA to issue officers involved in such work with the necessary defensive equipment is implicit in the act, the bill provides express authority for AFMA fisheries officers to be issued with, and carry, prescribed defensive equipment in the course of their duties. In order to carry out front-line duties, AFMA now needs the capacity to ensure that officers are issued with, and trained in the use of, defensive equipment. Amendments to the act will expressly provide the authority for officers to carry defensive equipment including, for example, bulletproof vests, extendable batons and handcuffs. Any other equipment would need to be prescribed under the regulations.

The bill seeks to clarify and support the operation of the fish receiver licence and a quota monitoring system in the Torres Strait Protected Zone. Previous amendments to the TSF Act done under the Fisheries Legislation Amendment Act 2007 were intended to provide that all individuals who receive fish directly from Torres Strait commercial fishers require a fish receiver licence. Upon implementation it became apparent that these provisions had created an overly cumbersome regulatory system. The amendments actually required all people in the supply chain who handle fish caught in the Torres Strait by a licensed commercial fisher to hold a current fish receiver licence—including home consumers, which was not the original intent of the provision. In addition to rectifying the error in the legislation the amendments will support implementation of an effective quota monitoring system in Torres Strait fisheries by increasing reporting requirements, on catch, in the fisheries. A quota monitoring system allows AFMA to quantify the commercial take for stock assessment purposes and for the determination of sustainable harvest levels. It will provide the capacity to verify fishers’ catch records against records detailing information about product landed at a port.

The government has undertaken extensive consultation with Torres Strait fisheries stakeholders. In addition the Protected Zone Joint Authority agencies—the Department of Agriculture, Fisheries and Forestry; AFMA; the Queensland Primary Industries and Fisheries; and,
the Torres Strait Regional Authority—have been continuously consulted throughout the development process. We support this legislation.

Mr ADAMS (Lyons) (10.53 am)—The Fisheries Legislation Amendment Bill 2009 makes amendments to Australia’s fishing legislation that will reduce the administrative burden on the Commonwealth’s fishing industries, protect Australian waters from illegal fishing and better protect fisheries officers. Our fishing industry is worth over $2 billion annually. Fishing and aquaculture is the fifth most valuable primary industry after wool, beef, wheat and dairy. Australia’s fishing zone is the third largest in the world, so it is pretty big. It is probably a bit bigger than the member for Barker’s electorate.

The Australian Fisheries Management Authority is responsible for the effective management and sustainable use of Commonwealth fish resources on behalf of the Australian community. The Australian Fisheries Management Authority manages fisheries within the 200 nautical mile Australian fishing zone outside state coastal waters—for example, beyond three nautical miles, on the high seas and in some cases, by agreement with the states, to the low-water mark. The Australian Fisheries Management Authority’s domestic activities operate under a cost recovery framework. That took a while to agree to over the years, but I think that is a pretty well accepted process now.

This bill amends the Fisheries Management Act 1991, the FM Act, and the Torres Strait Fisheries Act 1984, the TSF Act. A core part of AFMA’s business is the daily administration of the management arrangements in Commonwealth fisheries, including fishing concessions and entitlement administration. Fishing concessions, fishing permits, statutory fishing rights and entitlements may be bought, sold, transferred and leased. In the past these types of routine high-volume transactions have been undertaken by AFMA’s officers individually and manually. The bill will enable an electronic decision-making process, e-licensing. The E word is becoming a big part of our administration through government agencies and of course through industry, and with the Rudd government’s rollout of broadband we will be able to do these things better and more efficiently in our country. It will lead to an enormous amount of upgrading, advances and gains in productivity. So e-licensing is to be implemented by the Australian Fisheries Management Authority, AFMA, to improve the cost efficiency of the management of Commonwealth fisheries and to improve the capacity of industry to manage routine business processes via the internet—a modern process.

The amendments will clarify AFMA’s role as a licensing and registration body rather than an approval body. This means that when a person wishes to transfer a fishing concession AFMA must register the transfer, unless specified circumstances detailed in the legislation have occurred. Electronic decision making, e-licensing, will create greater business and administrative efficiencies. Transactions using the electronic system will cost less than applications made using the paper based system, which will require processing by individual AFMA officers. Amendments to the FM Act will explicitly allow some routine high-volume processes to be undertaken electronically, although it will not preclude manual decision making as a result. Two systems will be available for the use of AFMA stakeholders—the continuation of the current paper based system and the new e-licensing system.

Associated with e-licensing, the bill removes restrictions on the trading of fishing concessions. Restrictions on the transfer of concessions have been removed by redefining AFMA’s role as one of registering rather than approving the transfer of concessions. It also limits
AFMA’s discretion to refuse to register a transfer in certain prescribed circumstances such as the suspension of a fishing permit, the levy on the fishing permit being unpaid and the holder being investigated for a fisheries offence or having been convicted of a fisheries offence.

E-licensing has been developed in consultation with the fishing industry. Members across the major fisheries, including the Commonwealth Fisheries Association, brokers, companies and individual operators, have tested the functionality and the design and support the use of e-licensing. The industry has become more and more reliant on IT to help it speed up approvals and streamline the processes, so this initiative really makes a lot of sense.

The bill also supports the investigation and detection of illegal fishing activities, while the ability of AFMA to issue its officers involved in this type of work with the necessary defensive equipment is implied in the FM Act. The bill will ensure that the FM Act provides express authority for the issuing of certain types of defensive equipment. AFMA has the responsibility of ensuring compliance with provisions of the FM Act through the investigation and detection of illegal activities by both domestic and foreign fishers in the Australian fishing zone and the Commonwealth managed fisheries.

Under revised arrangements with the states which came into force on 1 July 2009, AFMA officers are undertaking front-line fishery inspections and patrol activities previously undertaken by state and territory officers, while the ability of AFMA to issue officers involved in such work with the necessary defensive equipment is implied in the FM Act. The bill provides express authority for AFMA fisheries officers to be issued with and carry prescribed defensive equipment in the course of their duties. In order to carry out front-line duties, AFMA now needs the capacity to ensure that officers are issued with and trained in the use of defensive equipment. Amendments to the Fisheries Management Act will explicitly provide the authority for officers to carry defensive equipment—including, for instance, bulletproof vests, extendible batons and handcuffs. Any other equipment would need to be prescribed under the regulations. I have always considered that those in the fishing industry are also the eyes and the ears of other maritime activities and are often well-placed to pass on information not only related to their industry, so there is a need to ensure the safety of these officers undertaking this type of work.

The bill will implement a treaty between the government of Australia and the government of the French Republic to cooperate in the maritime areas adjacent to the French Southern and Antarctic Territories—the TAAF, Heard Island and McDonald Islands—which entered into force on 1 February 2005 as a cooperative treaty. From my work on the Joint Standing Committee on Treaties, I can remember these sorts of treaties well. An agreement on cooperative enforcement of fisheries laws between the government of Australia and the government of the French Republic in the maritime areas adjacent to the French Southern and Antarctic Territories, Heard Island and McDonald Islands—the ‘enforcement agreement’—was signed in January 2007 and builds on the cooperative treaty.

Australia must incorporate the cooperative treaty and enforcement agreement into its legislation for cooperative enforcement activities to occur between Australia and France. The bill will grant French officers immunity from Australia’s civil and criminal administrative jurisdiction as provided for under the enforcement agreement. This is consistent with the enforcement agreement, where French officers acting consistently with the enforcement agreement are indemnified under Australian law, and it complements the FM Act, which indemnifies...
Australian officers in the exercise of powers under the FM Act. Australian officers are afforded similar indemnity under French law.

Illegal, unreported and unregulated—IUU—fishing is a major concern for the Australian government. IUU fishing on the high seas is a highly organised, mobile and elusive activity that undermines the efforts of responsible countries to sustainably manage their fish resources. International cooperation is vital to effectively combat this serious problem. Australia must incorporate the cooperative treaty and enforcement agreement into its legislation.

The bill will give Australian officers statutory authority to assist French officers to undertake cooperative enforcement activities and will grant French officers immunity from Australia’s civil and criminal jurisdiction when they are undertaking cooperative enforcement activities pursuant to the enforcement agreement. France has implemented the enforcement agreement into French law to the effect that Australian officers and vessels acting consistently with the enforcement agreement can assist French controllers in enforcing French fisheries law. Similarly, Australian officers acting consistently with the enforcement agreement are indemnified under French law. The Australian fishing industry and conservation non-government organisations were consulted during the negotiation and conclusion of the enforcement agreement and are supportive of the amendments.

The bill will also clarify the TSF Act to refine overly burdensome legislation and support the implementation of an effective quota monitoring system in Torres Strait fisheries by increasing reporting requirements on catch in the fishery. Previous amendments to the TSF Act, done under the Fisheries Legislation Amendment Act 2007, were intended to provide that all individuals who received fish directly from Torres Strait commercial fishers required a fish receiver licence. Upon implementation it became apparent that those provisions had created an overly cumbersome regulatory system. The amendments required all people in the supply chain who receive fish caught in the Torres Strait by a licensed commercial fisher to hold a current fish receiver licence, including home consumers, which was not the original intention of the provision.

In addition to rectifying the error in the legislation, the amendments will support the implementation of an effective quota monitoring scheme in the Torres Strait fisheries by increasing reporting requirements on catch in the fishery. A quota monitoring scheme allows AFMA to qualify the commercial take for stock assessment purposes and the determination of sustainable harvest levels. It will provide the capacity to verify fishers’ catch records against records detailing information about product landed at a port.

Extensive consultation has been undertaken with Torres Strait Island fishery stakeholders. In addition, the Protected Zone Joint Authority agencies—the Department of Agriculture, Fisheries and Forestry, AFMA, Queensland Primary Industries and Fisheries and the Torres Strait Regional Authority—have been continually consulted throughout that process.

I remember the report of a committee of which I was deputy chair back in 1997 entitled Managing Commonwealth fisheries: the last frontier. Some of its recommendations were implemented, including to modernise AFMA. There has been movement forward on some of the committee’s recommendations. One recommendation was to upgrade the processes being used in those days. Another recommendation was to work more with the states, and I see that becoming more evident in agreements with the states. I can see that, over the years, we have been getting there with a lot of those recommendations.
We know that fish do not recognise three-mile nautical lines and nor do they recognise 200-mile zones in international waters—a difficulty! In 1997 a recommendation was made that the CSIRO vessel Southern Surveyor was needed for research in this area. In the last budget, allocations were made for the upgrading of the vessel. This came about as a result of a report initiated by the member for Calwell—who is just leaving the chamber. It was a very good report and has led to some very good money going into research. Part of that money was for the upgrade of the Southern Surveyor and for research into climate change in the Southern Ocean and sustainable fishing by the fishing industry. The ship is stationed in Tasmania, at Hobart Harbour on the Derwent River.

I believe this bill takes the industry forward and is needed to improve the overall safety and efficiency of our industry. I recommended it to the House. I will be supporting the bill. (Time expired)

The DEPUTY SPEAKER—The question is that this bill be now read a second time. I call the member for Moore.

Mr Slipper—This will be a Churchillian contribution.

Dr WASHER (Moore) (11.13 am)—Thank you, Member for Fisher. In amending the Fisheries Management Act 1991 and the Torres Strait Fisheries Act 1984, the Fisheries Legislation Amendment Bill 2009 deals with three key matters. The bill aims: (1) to ensure that fisheries officers engaged in investigating suspected illegal fishing can be properly equipped to safely perform that function, (2) to improve the ability of the Australian Fisheries Management Authority to provide an efficient and cost-effective fisheries management service through changes to the administration of fisheries licensing and the introduction of electronic decision making and (3) to provide for consolidated arrangements regarding holders of fish receiver licences in the Torres Strait.

The Australian Fisheries Management Authority is responsible for managing Australia’s commercial fishing from three nautical miles off the coast to 200 nautical miles out—the boundary of the Australian Fishing Zone. The authority also has a foreign compliance role to deter illegal, unregulated, unreported foreign fishing within Australian waters and also on the high seas. Amendments to the Fisheries Management Act which came into effect on 25 June 2009 extended management beyond the Australian Fishing Zone, giving effect to Australia’s obligations under international agreements.

The Commonwealth has sovereignty over the Territorial Sea under international law. The Territorial Sea extends from the low water mark out to 12 nautical miles. The offshore constitutional settlement arrangement between the Commonwealth and the states and the Northern Territory overrides this existing jurisdictional boundary so that the states and the Northern Territory can manage coastal or inshore species such as rock lobster and abalone while the Commonwealth manages offshore or migratory species such as tuna or species subject to international agreements such as orange roughy. This arrangement provides for state and Northern Territory laws to apply within three nautical miles.

The Australian Fishing Zone as defined in the Fisheries Management Act covers the same area as the Exclusive Economic Zone; however, it only relates to the management and protection of fisheries. Under the UN Convention on the Law of the Sea, Australia has sovereign rights to explore, exploit, conserve and manage all natural resources of the waters adjacent to
the seabed and of the seabed and its subsoil, together with other activities such as the production of energy from water, currents and wind within the Exclusive Economic Zone. Covering approximately nine million square kilometres, the Australian Fishing Zone is the third largest in the world. The Australian Fisheries Management Authority manages more than 20 Commonwealth commercial fisheries within that area.

There are no reliable statistics about illegal fishing by foreign vessels in Australian waters. In northern Australia, illegal fisheries target shark, reef fish, rock lobster and trepang. In the Southern Ocean around Heard and McDonald islands, Patagonian toothfish and mackerel icefish are the target. It is thought that increased joint Australian and French patrols in the Southern Ocean has significantly reduced the level of illegal fishing in the French and Australian exclusive zones respectively.

However, illegal fishing still occurs on the high seas. It is estimated that illegal fishing in the area of the Southern Ocean managed under the Convention on the Conservation of Antarctic Marine Living Resources was 1,169 tonnes in 2007-08 compared with 3,615 tonnes in 2006-07. The number of illegal foreign fishing apprehensions in the Australia Fishing Zone has progressively declined over recent years from 367 in 2005-06 to 216 in 2006-07 to 156 in 2007-08 to 27 in the last financial year. So we are having some success. These apprehensions occurred in the extremities of the zone, and patrols and surveillance adjacent to the zone reveals that illegal fishing remains an ongoing threat.

Illegal fishing has a major impact on our commercial fisheries, even when it occurs outside the zone. Southern bluefin tuna is a highly migratory species and it is widely distributed throughout waters of the Southern Ocean, including the Australian Fishing Zone. The key areas where southern bluefin tuna are caught are the Great Australian Bight and waters off south-eastern Australia. In the period between 1985 and 2005 Japanese fishers were found to have illegally caught 178,000 tonnes of southern bluefin tuna, worth around $6 billion to $8 billion. As a result, the Commission for the Conservation of Southern Bluefin Tuna cut Japan’s quota from 6,065 tonnes to 3,000 tonnes. To help conserve migratory fish stocks, in May 2007 Australia adopted the Regional plan of action to promote responsible fishing practices including combating illegal unreported and unregulated fishing in the region, along with 10 other countries from South-East Asia that have either highly migratory or straddling stocks with Australia.

Small 10- to 15-metre wooden hulled vessels from Indonesia make up 97 per cent of illegal fishing vessels in Australian waters. These illegal fishers take a variety of finned fish and species such as turtles, dolphins and crayfish. However, there is a specific interest in shark products. As there is limited storage space on these small vessels, only the most valuable part of the shark, the dorsal fin, is kept. Peter Venslovus, the authority’s regional director for foreign compliance operations, commented that you can get up to $100 a kilo for the dried shark fin and they have apprehended boats with up to 30 kilograms of fins on board. The sheer number of these small fishing boats means that collectively they can devastate shark populations very quickly.

The authority’s fisheries officers are responsible for investigating and detecting illegal activities carried out by foreign and domestic fishers in the Australian fishing zone and on the high seas. Since 1 July 2009 they are also undertaking frontline fishing inspections and patrol activities previously undertaken by state and territory officers. Due to the significant financial

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incentive of illegal fishing, this work is obviously potentially dangerous. Illegal fishing by Indonesian fishers is not village subsistence fishing but a lucrative business with businessmen financing the boats, fishing gear and GPS systems. It is essential that those officers are adequately trained and equipped. General operation manager of the authority Paul Murphy has stated that there can be violent resistance on boarding and searching of boats. Crews not only arm boats with side spikes to prevent boarding but may also hurl lumps of concrete and arm themselves with machetes. The explanatory memorandum provides that defensive equipment, including bulletproof vests, extendable batons and handcuffs, would be required. Other equipment would need to be prescribed under the regulations.

The total Australian legal fisheries production for 2007-08 was 236,000 tonnes, with an estimated value of $2.16 billion. It is encouraging to see that aquaculture fisheries production in Australia, which also includes southern bluefin tuna wild catch input to the southern Australian tuna ranching sector, was 62,500 tonnes, 26 per cent of the total volume and valued at $868 million, or 40 per cent of the total value. The most valuable Commonwealth managed fisheries are the northern prawn fisheries, valued at $74 million, the Commonwealth trawl sector of the southern and eastern scale fish and shark fishery at a value of $46 million, and the southern bluefin tuna fisheries valued at $45 million.

The authority has developed a range of electronic devices to improve the cost of protecting these fisheries, the cornerstone being the e-licensing system. This system enables a range of high-volume routine licensing decisions which do not require the exercise of judgment by an officer to be made electronically. In 2008-09 there were 4,562 transactions and it is estimated that 80 per cent of these will be completed by e-licensing by 2011. The amendments are expected to result in a reduction in the authority’s administrative costs and subsequently the cost passed on to industry through fees and levies. Also the ability of concession holders to engage in real-time transactions will enable the market to operate more efficiently.

The Australian Fisheries Management Authority also provides fisheries management services in the Torres Strait on behalf of the Torres Strait Protected Zone Joint Authority, which was established under the Torres Strait Fisheries Act 1984. This joint authority consists of the Commonwealth minister for fisheries, the Queensland minister for fisheries and the chair of the Torres Strait Regional Authority and is responsible for commercial and traditional fishing in the Torres Strait and designated adjacent waters. Previous amendments to this act provided that all individuals who receive fish from Torres Strait commercial fishers require a fish receiver’s licence. This bill amends this requirement by making it an offence if a person does not hold a fish receiver’s licence but receives fish directly from a person required to hold a specified licence and they intend to process or sell the fish. It is also an offence if they do have a licence but they receive fish from a person who does not have a commercial fisher licence. It is not an offence if they intend to process the fish for personal consumption or use.

It is vital that the Torres Strait Protected Zone Joint Authority has systems in place to regulate and monitor the amount of fish being caught for commercial purposes. These requirements support the implementation of an effective quota monitoring system as it provides the capacity to verify catch records and product landed at port.

Overall, world fish stocks are declining and excessive overfishing continues. Fish around the world will venture further, risking crossing marine boundaries in pursuit of declining stocks. Amendments which better equip our fisheries officers to deal with this ongoing con-
cern are to be commended. Amendments which support the Australian Fisheries Management Authority’s ability to offer a high standard of service and reduce industry costs for our lucrative commercial fisheries are also to be commended. I commend this bill to the House.

Mr SLIPPER (Fisher) (11.25 am)—My contribution will be necessarily brief as I have to be Deputy Speaker in the main chamber at 11.30 am. I just want to place on record that the Fisheries Legislation Amendment Bill 2009 is an important bill which does not have any opposition in the House. The aim of the bill is to ensure Australia’s fisheries are adequately protected through the Australian Fisheries Management Authority, to reduce red tape in fisheries licensing and to improve provisions for fish receiver licences and the quota system in the Torres Strait protected zone.

In the couple of minutes available to me I want to say just how important the fishing industry is on the Sunshine Coast; in particular, a large number of trawlers bring catches into Mooloolaba. Many of those catches are chilled and exported to Japan and they make a wonderful contribution towards Australia’s export performance. Over the years I have been approached by trawler owners on the Sunshine Coast who have been concerned about changing government regulation, which, in many cases, makes it difficult for them to win catches and to make a living. Also, concerns have been expressed to me that boats have been coming from other fishing areas to the traditional fishing areas of the boats on the Sunshine Coast, with consequences of a financial nature which are not particularly good for the local fishermen. Further, the fishing industry has been adversely affected by the increase in fuel costs, and if fuel costs once again go to the high level they have previously been then many of the fishing operators who have made such a wonderful contribution to the Sunshine Coast economy for so long will find it difficult to continue.

I want to place on record that I greatly admire the fishing industry on the Sunshine Coast for the highly professional way in which they carry out their operations and for the tremendous amount of employment which is generated locally. It is important that governments do not lose sight of the importance of local fishing and local fishing industries.

In conclusion, I would like to congratulate the Deputy Clerk, Mr David Elder, on his elevation to this office. Mention of this was made in the main chamber. I have known David for a very long time. He has held just about every position one could hold in the parliament and he has carried out all of the responsibilities of those positions with great diligence, great competence and great impartiality. I know that by having David Elder as the Deputy Clerk we will continue in this place to have quality clerks in whom everyone can have a great sense of confidence and respect. I commend the bill to the House.

Mr SECKER (Barker) (11.29 am)—I, too, would like to congratulate David Elder. I think it is a privilege to serve in this parliament with the speakers, clerks and deputy clerks that we have in this parliament. We are certainly pleased with this appointment, which I think all members of the chamber would be in furious agreement with. It is a job well done and it will no doubt continue to be done.

I note that the minister made many comments in the second reading speech to this legislation, but I am sure those comments and other comments will be backed up by the member for Gippsland, who I believe is just about ready to make his contribution to the chamber.
Mr CHESTER (Gippsland) (11.30 am)—I thank the previous speaker for his very thoughtful contribution in relation to the Fisheries Legislation Amendment Bill 2009! This is regarded by the opposition as non-controversial legislation, as it provides for three main outcomes: improving the ability of the Australian Fisheries Management Authority to provide an efficient management service through the introduction of electronic decision making; ensuring that fisheries officers are properly equipped to perform their role while investigating suspected illegal fishing activities; and consolidating arrangements regarding holders of fish receiver licences in the Torres Strait. I note the presence of the Minister for Agriculture, Fisheries and Forestry in the chamber and also his second reading speech, where he concluded:

... the bill supports AFMA’s obligations to reduce industry costs while continuing to offer a high standard of service and ensures that AFMA’s officers possess the requisite defensive equipment in order to conduct their duties in a safe and effective manner.

In supporting the bill, I would like to take the opportunity to brief the House on the commercial fishing industry in the electorate of Gippsland and the importance of continued government investment in infrastructure to meet the industry’s long-term and short-term needs. I thank the minister for his visit to the Gippsland electorate to meet with the local fishing industry, and the government’s commitment to the development of a deepwater jetty off Bullock Island. It has been very well received by the local community.

Lakes Entrance has a very long and proud tradition as a commercial fishing port, dating back to the 19th century. Generations of Lakes Entrance, particularly the men and sometimes women, have gone to sea or fished the lake system. It is a very proud tradition that our community has. The Lakes Entrance Fishermen’s Co-operative Society Ltd is the largest supplier of fresh fish to the Melbourne Wholesale Fish Market and a major supplier to the Sydney Fish Market. Just as a bit of history, while I was not around in the days of the formation of the co-op—I am relying on the information provided by their website—it was created in 1964 in response to a period of very low prices, an ‘uncertain and unreliable ice supply’ and a lack of cool room storage facilities in Lakes Entrance. As a result, several trawler owners got together and decided that these problems could be overcome by providing a cool storage facility in the town, assuring an ice supply and developing a co-ordinated and orderly marketing system. A new plant was built on Bullock Island and officially opened by Sir Henry Bolte in 1968. As their website says:

The commencement of operations at Bullock Island ushered in a new era in the handling and marketing of fish—
in East Gippsland, and the co-op went from strength to strength in subsequent years.

Various improvements have been made over the past few decades, and Lakes Entrance remains a critical part of the commercial fishing industry in Australia. The co-op handles over 80 different species of fish, the most predominant including flathead, school whiting, trevally, morwong and shark. If you are in Lakes Entrance at the right time of year, like now, there are always some fresh prawns on offer, and the scallop industry is also doing well again after some very difficult years. The co-op itself employs about 20 permanent staff and up to 40 or 50 casual staff. If you add the co-op employees to the fishermen, the owners of the vessels and those working as deckies, it is easy to see why the commercial fishing industry is such a vital part of the East Gippsland regional economy and the state of Victoria more generally.

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I provided that history in the context of some of the challenges facing this important industry and the role of governments at both state and federal level in the future. One of the greatest challenges to the future of the commercial fishing industry in Lakes Entrance is the ability to maintain safe and reliable ocean access. For a bit of background, I am relying on a study paper done by Mr Peter Wheeler, who outlines the history of ocean access at Lakes Entrance, which is quite remarkable. There was actually a natural entrance to the Gippsland Lakes, dating back to the early 1830s, which was used by the shipping industry at that time. Due to the fact that it was quite unreliable, being subject to seasonal closures, the townspeople decided that it was important to develop an artificial entrance. That was first considered in the 1850s. It was quite a remarkable engineering idea for the times, considering we are talking about developing an artificial entrance into a lake system 160 years ago. The works began in 1870 but they were never actually completed. As is the nature of the Victorian climate, they relied on a large storm to come and burst the entrance through. So a storm did the final job for the engineers of the day.

What we have now is an artificial entrance into what was previously a freshwater lake system. I am relying on log reports of the early seafarers, which indicate the challenge faced by our modern-day seafarers. For example, in 1855 WT Dawson reported:

… the water rises to a great height in the lakes and the country for a distance of 100 miles back is flooded … the rush of waters very quickly cleared a channel through which even larger vessels could sail in.

Another report, by Sir John Coode in 1879, says:

During heavy land-floods the stream runs continuously seawards [through the natural entrance] for weeks; this fact was communicated to me both by Captain Limesechow and Captain McAlpine who appear to have had greater experience of the navigation through the entrance than any other persons. The former mentioned an instance which occurred about six years since, when his schooner was anchored about half a mile to seaward of the entrance; he stated that on this occasion his vessel lay for eight days and nights with her head to the outgoing current, and that the water running past, being quite fresh, was taken up daily for ship’s use.

The point is that the conditions at Lakes Entrance are subject to some very severe natural forces, and nature has often helped to clear the way for that artificial entrance to remain open.

Over the hundred years or so since the entrance has been open, there have been a lot of changes in the catchment of the Gippsland Lakes, which has had a major impact on the commercial fishing industry. The construction of the Thomson Dam ended up reducing flows into the Gippsland Lakes system, which has contributed to the build-up of sediment at the artificial entrance of the Gippsland Lakes. Regular dredging has been required over the past 40 or 50 years, and in the mid-1970s a side-casting dredge known as the April Hamer was commissioned. Its role was to keep sweeping clear the channels so the commercial fishing fleet could access the sea. As a side-casting dredge it can only throw the sand and the sediment about 30 metres, which really does not achieve the endgame that is required by the fishermen. So the bar at Lakes Entrance where the lake meets the sea has had a notorious reputation over many years. A lot of seafarers, both recreational and commercial, have come to grief there, and its reputation has discouraged passing recreational vessels from entering the port at Lakes Entrance.
The build-up of sand reached a crisis point in the late 1990s. So much sand was building up in the entrance that new islands were being formed in the channels to the Gippsland Lakes. Jeff Kennett was the Premier of Victoria at the time. A local real estate agent, Ross Bennett, may know something about the naming of one island which we call Kennett Island. He may know how the sign got there. Anyway, all the sand that had built up was credited to Jeff, and no-one was prepared to remove it. It created enormous problems for the community in terms of safe navigation in the area. At that time there were community protests, petitions and rallies to highlight the fact that the commercial fishing fleet was in jeopardy of being shut down completely. There was a threat to the tourism industry because it was more dangerous for recreational vessels to access the entrance, and it was only the major flood of 1998, a fortuitous event as it turned out, that served to blast away a lot of the sediment. While the flood caused damage in other parts of the electorate, what it did at the entrance to the Gippsland Lakes was much appreciated by the commercial fishermen.

But we cannot rely on those sorts of events to keep the entrance clear. Gippsland Ports has a primary responsibility to maintain a safe and navigable entrance. They have developed over a period of years a sand transfer system which has been able to pump sand away from the entrance, and they have been able to tinker at the edges to reduce the amount of sand that has built up there. Unfortunately for Gippsland Ports, conditions have deteriorated again over a period of years. About five years ago there was another community campaign, as the entrance was threatening to close once again. At that time I was the president of the Lakes Entrance Business and Tourism Association and I worked with several state MPs to raise awareness of the issue. As the minister knows, I am always prepared to give credit where it is due, and I give great credit to the state government for coming to the party and providing $31.5 million to develop what was called at the time a ‘trial’ to see what could be done to maintain a safe and navigable entrance. I reflect on the media release at the time from the minister John Thwaites. He pointed out:

This project will create clear navigable channels to Lakes Entrance and ensure that they’re kept open over coming years.

The trial involved bringing in a suction hopper dredge, a replacement of the sandpiper dredge, monitoring of the sand movements inside and outside the entrance, improvements and repairs to the existing sand management system and installation of sand pumps. That trial has been very successful. The Premier of Victoria himself, as recorded in Hansard in October 2008, said that the trial had removed:

… 290 000 cubic metres of sand … in four months and a further 300 000 cubic metres from inside the entrance.

So it has been successful. I appreciate the indulgence of the House as I build the case for the main point I am trying to make regarding the future of the commercial fishing industry in Lakes Entrance. From the work that has occurred over many years—and in my own personal observations over the last 18 months—the entrance now is in the best condition it has been in for decades. The commercial fishing fleet particularly welcome the opportunity to access their port more safely. For them to come and go safely from their place of work on a daily basis has been a godsend for our community. There is a lot less stress involved in accessing the harbour now than there was as little as five years ago. It has certainly been welcomed. The funding from the state government has been welcomed. As I said, since the commencement of that
trial about half a million cubic metres of sand have been removed from inside the channels. Under a range of permits—that is, sea-dumping permits and that type of thing—from federal and state authorities it has been done under strict environmental conditions and there is support in the broader community to maintain the entrance in a safe and navigable state going forward.

The point I am trying to make today is that the state government has clearly acknowledged its responsibility now, and the challenge is to make sure that we are committed to a long-term solution. Letting the sand build up and close the entrance, as is suggested occasionally by some people who are concerned about the cost, is simply not an option. It is not an option for the commercial fishing fleet, which is so important to the future of our region. It is also simply not possible with the infrastructure that is already in place in Lakes Entrance. You cannot move that fishing fleet to another port. The establishment costs would be enormous. It is often said that perhaps you could move the fishing fleet to another port. That just would not work. You have the infrastructure in place. You have families in place who are ready to work in the industry. It just would not work. It just would not be viable. Also, closing the entrance or allowing the entrance to naturally close would result in an inundation of towns such as Metung, Paynesville and Loch Sport around the Gippsland Lakes. You would have a situation where the water would build up, those towns would be inundated, a natural storm would occur and the entrance would bust out again—as it did in the 1830s and the 1840s. It is simply not a plausible option to allow the entrance to close.

Maintaining the safe and navigable channels is the only option for us. Funding will be required to secure the future for both the fishing industry and the tourism industry in the region. I note that the state minister, Gavin Jennings, visited Lakes Entrances as recently as eight or nine months ago and inspected the work that was done. I understand there is an application being put to the state government from Gippsland Ports for possible options to secure the future of the fishing industry. There are a few options on the table for governments to consider. There is the possibility of developing our own purpose-built trailer-hopper suction dredge for use in Lakes Entrance and then to be contracted around Australia, but I am not sure that that is necessarily going to be the option that governments will commit to. There are a lot of questions about whether it is the prime role of governments to build, maintain and operate their own dredges. There perhaps will be a commitment to funding for an annual visit by a contract vessel, such as the Pelican, on the occasion that is required.

Such options will naturally come at a considerable price, but the stakes are very high for our community. I am certain that the state government is aware of its responsibilities. I am certain that the federal minister is conscious of the need to make sure that this $200 million fishing industry is maintained in the longer term. The value to the tourism industry of a safe and navigable entrance is estimated to be about $200 million a year as well. The stakes are very high for the local community, but I am confident that Gippsland Ports, in cooperation with the state government, is heading in the right direction. There is a lot of interest in what is going to come about in the next few months, but I am very confident that we are moving in the right direction. I urge the state government to continue the work it is doing with Gippsland Ports, the fishing industry and the wider community and to commit funding to the long-term dredging program. That will ensure the good work in recent years is continued into the future.
There are some broader issues of concern to the fishing industry that directly concern the federal government. I know the Minister Agriculture, Fisheries and Forestry has been made aware of them, and I use the opportunity now, while the minister is at the table, to remind him of some correspondence from the General Manager of LEFCOL, Mr Dale Sumner. He sent me an email two months ago indicating his concern about the closure of the Australian Seafood Hotline. Mr Sumner wrote:

I have found out with surprise and disappointment that DAFF dropped the above hotline in June of 2009 ...

The ability for consumers to quickly report suspected mislabelling of seafood is critical in times when seafood imports exceed our production.

Our industry is being placed on an unfair playing field against imports and consumers are consistently being urged to report issues and now find that the Government has dropped this critical tool. I do not want to cause great embarrassment to the minister by any stretch, but it is an issue that Mr Sumner has raised in good faith. He is asking questions about it as he is a man who is very passionate about the labelling of seafood. Australian seafood, naturally, has a reputation as being of high quality and fresh, and coming from a sustainably managed fishery. That is a competitive advantage we have and he is concerned that, if consumers are not aware of where seafood has come from, they will not be able to make complaints in a swift and efficient manner, such as through the Australian Seafood Hotline.

I have no idea how popular the hotline was in the past and I have sought information from the minister in that regard. As I have said, this is not intended as a point-scoring exercise; it is a genuine inquiry from the general manager who is just wondering what other opportunities are available for consumers to have confidence in the Australian product and also to have the capacity to make complaints if they feel they are being ripped off. That is an issue that the seafood industry has had to deal with over many years. It is very hard for the layman to tell whether the snapper advertised in the fridge at a retail outlet really is snapper. It is hard to tell if you are not aware of how individual fish fillets will look. There is a concern within the industry that the labelling is sometimes misleading, and they are very conscious of the need to keep promoting the Australia product. It is a great product that we have here in our country.

The other area of concern to the industry, and I think it is one that the minister has been made aware of as well, is the competing interests of the oil and gas sector in Bass Strait. I fear this matter will be very difficult to resolve. It is difficult to manage and the potential for future conflict between the industries will take some careful negotiation. Everyone in the fishing industry recognises the critical role of the oil and gas industry in Bass Strait, and in fact the Gippsland region would not be as successful and vibrant as it is without the oil and gas industry. The two industries have seemed to be able to cooperate and operate quite amenable over the 40 years that oil and gas exploration has occurred in Bass Strait, but with increased activity there is an increased requirement from the oil and gas industry for exclusion zones around their operations. That is making life difficult for individual fishermen.

I am not sure that there are easy resolutions. I know the fishermen are talking in good faith with the oil and gas industry. I have written to the oil and gas industry and urged them to come to Lakes Entrance and to be up-front with the fishermen. These men going out to sea are smart operators. They know how to handle their vessels, they know how to navigate close to other structures, and I think there will need to be some flexibility in terms of where these ex-
clusion zones are. When you start taking these shots away from the fishermen, you start directly affecting their livelihood. How we get the balance right is a real challenge for us. There is certainly goodwill on both sides and it is something I think we need to manage at the industry level, but we also need to make sure that state and federal governments, when they are issuing licences and allowing these competing interests to operate in the same environment, are respectful of the rights of both industries. Again, this is not intended as a criticism of anyone; it is just a reflection of the fact that the commercial fishing industry has a legitimate right to access fishing grounds as much as the oil and gas industry has a right to exercise their licences. We just have to make sure there is a way that we can get the two industries working together so that both can operate successfully into the future.

In conclusion, I thank the House for this opportunity to provide an update on some of the issues facing the commercial fishing industry in Gippsland, and express my support for the bill.

Mr BRIGGS (Mayo) (11.49 am)—I appreciate the Minister for Agriculture, Fisheries and Forestry sitting here for just a brief time while I follow a very comprehensive contribution from the member for Gippsland, who clearly knows very much about the fishing industry in his patch. He does come from a very beautiful part of our country with some excellent fishing, but of course it is not quite as good as along the south coast of Adelaide and out around Kangaroo Island. Fishing is a vital industry to my electors, particularly those along the south coast and around Kangaroo Island, both for commercial fishing and probably more importantly for recreational fishing.

Kangaroo Island is a great tourism asset for South Australia. Sixty per cent of international visitors who visit South Australia do so to visit Kangaroo Island, and the fishing industry is a vital and important part of its economy and the economy of Mayo. I take a personal interest and make sure I occasionally get out there to make sure the fisherman are doing well on KI. I can say that just before Christmas they were doing very well when we ensured that the whiting stocks were still there.

On a more serious note, one of the great reforms that we have made in this country is to ensure that we have a sustainable fishing industry with correct bag limits and so forth. I think that is something we need to ensure we continue to keep an eye on. It is a vital component of our economy with the tourism aspect and both commercial and recreational fishing. However, increasingly we are facing a worldwide challenge with fish. There were some interesting articles over the summer period that I am sure the minister saw about world fish stocks and the challenge we will have in the next 20 years as the population throughout the world grows so quickly, particularly in countries that are reliant on seafood as one of their mainstay foods.

I note that the minister is addressing these issues about protection of our fish stocks in this bill. Increasingly we will see concerning reports about other countries accessing fish stocks that have traditionally not been fished and putting increased pressure on the world food supply, which I think is a major challenge for our nation and for the world in the next 20 years. This is going to be an increasingly important issue for our country. I am sure the minister is very aware of that. I note that this bill does address some of those issues in relation to protections and I think they are very important issues for us to be looking at.

Fishing is a vital industry to my part of the world around Kangaroo Island off the south coast of South Australia. It is less vital these days in the Lower Lakes because of the envi-
ronmental situation; however, it is also important for many recreational fisherman. It is a large passion for many people and we do need the right governance. We have an ongoing issue with marine parks in South Australia and I know the minister will be working very closely with the state government on those issues. They can be contentious issues and getting the balance right between sustainability and allowing the recreational industry to continue is important. I appreciate the indulgence of the minister for allowing those short remarks.

Mr BURKE (Watson—Minister for Agriculture, Fisheries and Forestry) (11.52 am)—May I thank all members who have contributed to this debate on the Fisheries Legislation Amendment Bill 2009. It has been a productive and positive discussion, not simply because the amendments we are dealing with are non-controversial, but also because there is a common theme of wanting to support regional jobs and helping to build regional economies. That is precisely what the different elements of the fishing industry do. That actually applies whether you are talking about commercial fishing or recreational fishing. Just as commercial fishing in the most obvious way underpins regional economies, in many ways so too does recreational fishing. The commercial outcomes of recreational fishing—whether it be anything from the more obvious elements of the charter businesses, tackle shops or tourism that comes along with it—have an important economic role, which all too often does not get included in debates when we are dealing with the economic outcomes of fishing. I think that has been an important part of the debate that we have had on this bill. There are a number of issues that have been raised. I was not able to be in the chamber for the entirety of the debate, but there have been a number of issues raised while I have been here or raised in good faith, some of which I will follow up on subsequently.

I will refer to concerns raised by the member for Gippsland with respect to the seafood hotline. I will reply directly to his correspondence, but, given that it has been raised in the House, I will also reply here. My understanding is that that role, while not being performed by my department at the moment, is being performed by Seafood Experience Australia. Whether that is being performed to the complete satisfaction of people who had previously dealt with the hotline through my department is something I am very open to receiving information on. But Seafood Experience Australia is performing that role.

On the issue of fish names, for many years, in both Australia and the rest of the world, fish names have been a mess. There can be seven different descriptions for the exact same species, and some of those descriptions will come down to completely different species as well. There has been some good work done. I have previously referred, by media release, to some websites that confine and come to an agreement on what particular species will be called. I think that takes us a long way to resolving some of the issues that were raised by the member for Gippsland.

The area where he said there is no easy answer—and I agree wholeheartedly with him—is with respect to oil and gas and exclusion zones. We often deal with conflicts between primary industries and the resources industries about access to land. We have had a very public discussion, largely involving the New South Wales government but which has come up in the federal parliament as well, with respect to the Liverpool Plains. The challenges in the ocean are actually no different from the challenges on the land. That is something which will be in part resolved through the involvement of different levels of government but largely will be resolved through sensible negotiation between the industry players themselves.
You can absolutely kill any level of interest in a speech in parliament by describing amendments as technical, so I will dodge that—even though it is probably true. The amendments that are before us hit three key themes which determine the future of the fishing industry in Australia. It is an industry that needs to be sustainable, needs to eliminate red tape and needs to combat illegal fishing. The amendments before us touch on all three themes. The amendments with respect to quotas in the Torres Strait are there to ensure that the industry remains sustainable. The amendments on e-licensing and doing something about some of the current overly burdensome rules on fish receivers licences are there to find a way towards eliminating red tape. Also, the amendments in the bill which deal particularly with defensive equipment are there to make sure that those involved on the front line, in incredibly difficult circumstances, combating illegal fishing, are able to get ready access to the defensive equipment that they require.

All of this is important in an industry which, as I say, plays a critical role in supporting regional jobs and helping to build regional economies. I am grateful for the bipartisan nature of the debate which has taken place. Before he walks out the door, I add my voice to those who participated in the debate in congratulating David Elder on the opportunities which are given as opportunities to him but are in fact opportunities for us. Congratulations, David. I commend the bill to the House.

Question agreed to.

Bill read a second time.

Ordered that this bill be reported to the House without amendment.

ADJOURNMENT

Mr BURKE (Watson—Minister for Agriculture, Fisheries and Forestry) (11.58 am)—I move:

That the Main Committee do now adjourn.

Petition: Landcare

Mr CHESTER (Gippsland) (11.59 am)—I rise to present a petition approved by the Standing Committee on Petitions. The petition contains 506 signatures and is on a topic which is very dear to my heart and to the hearts of many Gippslanders: the future of Landcare funding in Australia.

The petition read as follows—
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 that the Federal Government has restructured its approach to Natural Resource Management resulting in the loss of Landcare facilitators/coordinators who play a vital role in Landcare groups and projects. This change to funding is short sighted and will mean the destruction of Landcare as we know it and another blow to struggling rural Australians.

We, the undersigned, call on the House of Representatives to immediately reinstate the funding of local Landcare facilitators and coordinators in order to allow Landcare groups to function effectively and to address the Caring for Our Country priority of community skills, knowledge and engagement.

from 506 citizens

Petition received.
This petition is a direct result of the government’s flawed Caring for our Country program—a program that has directly resulted in decisions by natural resource managers in Gippsland to scale back the number of facilitators employed to coordinate voluntary activity by Landcare members and other landholders. I understand that the West Gippsland Catchment Management Authority is just one organisation to cut its staff numbers; something in the order of five facilitators have been lost due to a lack of funding from this government.

Last year, Landcare celebrated 20 years of outstanding, practical environmental service across our nation. There were 100,000 Landcare volunteers across Australia and 4,500 community based groups, and they stretch right across Gippsland. The work these volunteers do is vital for our community. They are the practical environmentalists: they are involved in revegetation programs, erosion control, removal of weeds, assistance in the elimination of pest animals—the list is endless. The volunteers are an essential part of this program, and the coordination of that effort through professional facilitators is also a critical component.

The Minister for Agriculture, Fisheries and Forestry, who was in the chamber previously, is aware of my concerns but he disputes my view that there has been a reduction in commitment from the government. I doubt that the minister actually understands the importance of Landcare to regional communities, beyond the environmental impacts—let alone the contribution that Landcare groups make to the social fabric of rural and regional areas. Landcare brings people together, particularly during difficult times such as the drought we have experienced over many years. It is a reason for people to come together. They communicate and discuss common issues. There is a real sense of community and belonging and, at a time when social issues and mental health issues are of real concern for us in rural and regional areas, it is hard to underestimate the benefits from these Landcare groups. 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 the facilitators and coordinators who play such a pivotal role in managing the volunteer programs, assisting the community groups, providing professional advice and mobilising volunteer effort.

The Victorian Landcare Network shares my concerns about the federal government’s cuts to funding for natural resource management under the Caring for our Country business plan. The network wrote to the minister in August last year, and I will quote from that letter by secretary Kevin Spence. It read:

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.

As I have told the chamber previously, 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.

And there is this, from a departmental staff member who wrote to me. It reads:

Minister Burke has been very clever in passing the blame to CMA’s for sacking their staff ‘at the regional level’ but would not acknowledge that CMA’s cannot keep these positions funded as CFOC will
not allow it. Not long ago he has released funding for 56 facilitators which were the old National Landcare Program facilitators but when you investigated these guidelines, CMA’s were only eligible if they had not laid off the employee when the funding was cut in December 2008. I think only 2 positions in Victoria were eligible but it was a good diversion from all the heat Burke was getting about facilitator losses.

I will give the final word to a person who typifies the heart and soul of Landcare—one of the volunteers. Dawn Parker, the secretary of the Far East Victoria Landcare Group wrote in a letter to the *Snowy River Mail*:

> Both the potential for practical environmental works and the health and vitality of rural communities are being damaged by the cuts to the number of Landcare facilitators across Victoria.

> The role of group facilitators was to be in close contact with local communities to encourage and enable their engagement in natural resource management activities.

Dawn goes on to say:

> Every government dollar invested in support personnel returns at least three more dollars from local input and co-contributions

> The Caring for Our Country business plan endorsed by Messrs Burke and Garrett is undermining core functioning capacity of Landcare.

> Over 50 per cent of Victorian facilitator positions have been lost and more are to go.

> ... ... ...

Was this what Tony Burke and Peter Garrett intended?

I invite either minister to answer that question that is on the lips of the 506 people who signed this petition and the countless volunteers who are working right across Australia now to assist in the practical restoration of the environment.

**Isaacs Electorate: Building the Education Revolution Program**

Mr DREYFUS (Isaacs) (12.04 pm)—I rise today to talk about my recent visits to several primary schools in my electorate to see how the infrastructure works that are part of the Rudd government’s stimulus package are going. The Building the Education Revolution funding that every school across the country has received is the largest ever investment by the Commonwealth in this country’s schools. This is an investment in our most valuable resource: our children.

In my electorate alone, nearly $100 million has been invested in primary and secondary schools under the Building the Education Revolution and Primary Schools for the 21st Century funding. It was great to see how classrooms, learning centres, libraries and halls are taking shape. They will give our kids a wonderful learning environment for their primary education. Despite this, the opposition voted against this building program. Clearly they are against our kids having modern facilities and learning spaces. Clearly they are against boosting jobs in the construction sector.

Just last Friday I spoke to the project manager who is building the new school hall at Dan denong South Primary School. He told me that the Building the Education Revolution program has seen his company put on plenty of new workers just as the construction industry was experiencing the worst downturn he can remember. He said that if it were not for the stimulus package he himself would not have a job. Maybe some of those who sit opposite should do as I did last week and go down to their local primary schools to talk to the people rebuilding and
adding to schools for our children. I challenge them to talk to these workers, people who have families and may be paying off a mortgage, and tell them that they want to yank their employment from under their feet. Tell these workers that the coalition voted against the stimulus package that has delivered them employment during a very tough time in their industry.

It is not unusual for the opposition to miss the point when it comes to Building the Education Revolution. We hear the Leader of the Opposition and the shadow education spokesperson constantly bleating about how this program just delivers halls that schools do not need or nitpicking about construction problems. Last week I visited a dozen schools all around my electorate, I talked with principals and school leaders about how their building projects are coming along, I gauged the reaction of the local school communities and I saw the building works for myself. What I heard and saw was encouraging and at times inspiring. I would like to invite the Leader of the Opposition and the shadow education spokesperson down to St Anthony’s Primary School in Noble Park, a school with one of the lowest socioeconomic school populations in Victoria, to see how the first stage of the construction program has transformed a set of tired, old-fashioned classrooms running off central corridors into sleek, ultramodern learning spaces for the senior students.

As she showed me around the open-plan learning spaces, Assistant Principal Alison Lomas told me what a difference in the students’ attitude and focus on learning she has noticed in just the first 20 days of this school year, the time in which these spaces have been used by students. And I could see why: a bright red central learning area with a projector and electronic whiteboard that seamlessly opens into modern and flexible class areas—not rooms—that encourage freedom of movement for children and teachers. There is an outdoor learning area where teachers can take children out on sunny days and a lot of the furniture inside can be moved easily to give flexibility in the use of the learning spaces by classes.

How can those opposite claim that this does not make a difference? Our top private schools have always put a premium on surroundings and learning environments having a positive impact on how their students learn, and here is a primary school serving students from some of our lowest socioeconomic communities with a state-of-the-art facility that will have a major effect on how those children learn and prosper.

I am proud to be part of a Labor government that is investing so much in this country’s future. It is a shame that the opposition still cannot bear to admit that our children will be advantaged by this stimulus program and that the work created by this program supports thousands of jobs. I think that the Australian people are smart enough to see that the coalition is too busy playing politics to care about our children’s future and the jobs of working Australians. I share with the schools, principals and parents in my electorate the anticipation of finishing the new learning areas, libraries, halls and classrooms that will enrich their students’ education experience.

My only regret today is that I do not have time to talk about all of the other primary schools that I visited last week: Rowellyn Park Primary School, where there is a wonderful new classroom complex; Carrum Downs Primary School, where there is a wonderful new school hall that they thought that they would never see; and St Joachim’s Primary School, where there is a hall. The entire school community come up to me in the street and they say what a wonderful facility that will be for their school in the future.
Mr LINDSAY (Herbert) (12.09 pm)—Mr Deputy Speaker, if you have not seen an angry ant before, look over here. I am extraordinarily angry about an issue that continues today in Australia. It is in relation to what governments do to get themselves off the political hook and what newspapers report, which is just wrong. It seems that you cannot believe anything you read in the newspaper, particularly in Townsville. On 1 February, Xstrata received findings from an independent analysis of air monitoring from October to December 2009 in Mount Isa which showed potential exceedence in one of their five high-volume air sampling stations in that town. As soon as they became aware of that matter they immediately informed DERM and launched an investigation. Based on their current findings they do not have any grounds to believe that Xstrata had caused a breach of their regulatory limits. They advised the state government that they would come back to them within 30 days and give them the results of their investigation.

But what happened? Before the 30-day period was up last Friday, the Minister for Climate Change and Sustainability in the Queensland parliament, Kate Jones, announced that the Department of Environment and Resource Management was preparing prosecution action after one of Xstrata’s monitoring stations in the town was found to have above-average levels of lead and that they had exceeded the allowable limit. That is highly irresponsible. It was done on a Friday, with maximum media coverage and sensationalism. It frightened the people of Mount Isa because they were concerned about their jobs. It frightened the company. It was terribly unfortunate because there was not a grain of truth in the allegation. The minister had trotted out the charge because she wanted to take the political heat off her own government.

The Townsville Bulletin reported next day that the global miner Xstrata was facing fines of up to $2 billion for breaching air quality emission standards for lead at Mount Isa. But they never did. The front page of the Townsville Bulletin carried the screaming headline ‘Xstrata to be prosecuted over air pollution’. But they were never going to be prosecuted. You cannot believe what you read in the newspaper. So to verify this one isolated exceedence, Xstrata had the samples retested through three different methods and two independent laboratories, one of which was run by the state government. It turns out that the exceedence was an anomaly and Xstrata were not exceeding their allowable limits. They have continued their record of never exceeding the prescribed lead levels in Mount Isa since acquiring Mount Isa Mines in 2003. The investigation showed that the lead levels in Mount Isa Mines that were under investigation were less than one-third of the regulatory limits for the period concerned, and preliminary findings for the month of January show that lead levels are under 20 per cent of the regulatory limits. It is wrong that state government ministers and members and newspapers in this country can seek to bring down the reputation of an Australian company that employs so many people—upon whose employment so many other jobs depend—when there is no basis in fact for the allegations.

Xstrata are continually pursuing a wide range of environmental issues. They have invested more than $250 million in more than 150 environmental initiatives since mid-2003. They are a responsible corporate citizen. They are considered a great company in the Mount Isa community. I want to use my time in the parliament today to back the wonderful results they produce for our country and for the Mount Isa community and my community in Townsville. I utterly reject these disgraceful allegations by the state minister and the Townsville Bulletin.
Bonner Electorate: Wynnum Scout Group

Ms REA (Bonner) (12.14 pm)—On 13 February this year I had the great privilege of attending a celebratory dinner at the Wynnum Manly Leagues Club for the 100th anniversary of the Wynnum Scout Group. Although Australia boasts the longest surviving civilisation in history, the descendants of European settlement have been here for a reasonably short time. So it is a very significant achievement for any organisation or group to have been in existence for 100 years. I want to put on record my congratulations to the scout group for achieving such a milestone. What is more significant is that the Wynnum Scout Group is the oldest continuing scout group in Queensland. It is not the oldest scout group. The Kangaroo Point Scout Group was formed earlier but has since been dissolved. Wynnum Scout Group was not only formed 100 years ago but has been operating for 100 years, so the anniversary dinner was a particularly special reunion. Some 136 past members came to celebrate the camaraderie and friendship they had enjoyed and the many life skills they had learnt and characteristics they had developed through their involvement in the Wynnum scouts.

I would like to put on record my particular thanks and congratulations to Debbie Shaw. Debbie has been group leader of the Wynnum Scout Group for two years but has been involved with the group for 17 or 18 years. I would also like to thank and congratulate Pat Dunn. Pat has been the assistant leader of the Wynnum Scout Group for 18 months but has been involved with the group for 20 years. When a group has leadership with that level of dedication, you can understand why it has lasted so long. It is no surprise that Wynnum Scout Group has continued for 100 years. As I often say, the suburbs on the south side of Brisbane, the bayside suburbs, produce some of the most resilient communities that I have ever come across. I grew up there and I went to school there. The people of the Wynnum-Manly district and surrounds are some of the most resourceful survivors, the most resilient individuals, the most well-organised and active community people you can find—not just in Brisbane but across the country. It is no accident, therefore, that the Wynnum Scout Group holds the very prestigious honour of being the longest continuing scout group. When you consider that the group has survived the two world wars, the Depression and all the other incredible events and activities of the 20th and 21st centuries it is amazing that it has lasted so long. If I am correct, the group has survived four kings and served under one queen.

We actually had a King’s Scout attending the anniversary dinner. When you consider how long Queen Elizabeth has reigned over this country, a King’s Scout is very special. I am not going to give away his age, but I will say that he is still very active and gave a wonderful speech. His reminiscences of what he as a scout was required to do when camping, compared to the equipment and facilities that scouts have today, were quite remarkable. They literally had to find a campsite, chop down trees, make their own tents and make their own tools. When you compare that to what our young scouts enjoy today, it is testament to their survival skills and resilience. I am sure that is why many scouts of that era still enjoy a very active life today, although they are now senior citizens.

It is important that we acknowledge the role of organisations in our community such as the scouts. It is not just about their good service and the good work they do to support members of the community in times of need. It is also about the incredible work they do in giving skills to our young people and getting them out there to be active and community minded. They
build up a sense of team and community spirit and contribute to what will be a very well-behaved generation in the future.

Mr Laurie Lawrence: Child Water Safety

Mr JOHNSON (Ryan) (12.19 pm)—Laurie Lawrence is a name that most Australians would know quite well. It is a name that would be known to all those who have a love of rugby, because, of course, he was an Australian rugby union representative; indeed, he played for the Wallabies. His name would be known also to those who have a love of swimming, because he coached Olympic and world champion Australian swimmers. His swimmers won gold medals and participated in Brisbane’s 1982 Commonwealth Games and in Edinburgh’s 1986 Commonwealth Games, as well as at the LA Olympics, at the Seoul Olympics and at the Barcelona Olympics in 1992. His is a name that is much admired and respected throughout Australia.

I mentioned Mr Lawrence’s name today to pay tribute to his passion, his integrity, his authenticity and his love for Australia. Above all that is his absolute desire to save lives, his absolute love of Australian children and his desire to save their lives when they are near water. All those who are familiar with Mr Lawrence’s name would know that he is a man who has developed an incredible program with the support of federal governments, both past and present, and he has put together a DVD that will help parents and young toddlers to learn the techniques for being safe in and around water. As the father of a 3½-year-old I can say that my wife and I and our little 3½-year-old, Ryan, have watched the DVD on many, many occasions. Indeed, we watched it during the past weekend before my trip to Canberra for this sitting week. I want to pay tribute to Mr Laurie Lawrence because he is someone who will work with anybody. It does not matter whether you are a member of the federal parliament, a state parliament or a council, a community group or a charity—all of those stakeholders desire the same outcome: saving the lives of children to avoid tragedies in families around Australia.

I will touch on some statistics that I think are important. More so, behind these figures is human tragedy; behind these figures there are the names of little children who have lost their lives and there is immense suffering in homes and families around Australia. I will put on the record that, as a member of the Australian parliament, as a local MP, as an Australian citizen and, indeed, as a father, I will do everything I can to bring mums and dads together, to conduct community events and to bring community organisations together to highlight the importance of water safety. Whether it is around pools, or dams or lakes, we simply must be vigilant as parents and as community minded citizens. It is not yet the end of February and already in Australia more than 70 lives have been lost to drowning Australia wide. In Queensland alone as of last Tuesday, 23 February, 16 Queenslanders had lost their lives to drowning including six children under the age of five. As I say, behind those figures is, of course, great suffering, great tragedy and great pain.

I want to thank Mr Laurie Lawrence again for his time, his commitment and his passion in doing something about these tragedies. If all of us can do a little bit more then potentially that little bit more could become a lifesaver. I also want to thank him for taking the time on 25 January this year to visit the Ryan electorate and the University of Queensland to show the mums and dads and their toddlers techniques that could potentially save not only the lives of their children but the lives of their neighbours’ children or others that might be around swimming pools. Tragically, only in the last few days three young Australian toddlers lost their
lives. We share the pain and the grief of those families and we pray that their souls will rest in peace. *(Time expired)*

**Private Health Insurance**

**Mrs D’ATH (Petrie)** *(12.24 pm)*—I join with the member for Ryan in congratulating Laurie Lawrence on his work in water safety and working with the government on the DVDs. In my electorate I have also been providing families with free DVDs to help them understand the importance of water safety with their children and I would like to acknowledge the Redcliffe Leagues Club and the Aquatic Centre for helping me distribute that information to their little toddlers class the other day. There are way too many young lives lost and there certainly have been some very tragic incidents in very recent times in relation to dams and safety around dams.

That leads me into the issue I wish to talk about in the brief time I have. I wish to talk about health. Health is a very important issue. I have spoken many times on health in this chamber and I will continue to rise and speak on health issues, because health is a priority for the Rudd government. Once again the Senate is being asked to consider the private health insurance rebate bill. It is at this time that we ask opposition members over in the Senate to give serious consideration to how genuine they are about their commitment to health and health reform in this country. To willingly block $2 billion that could be utilised in other health areas and go towards the health budget is an absolute disgrace. There are many reasons, and there have been for a number of years, why that money is desperately needed. A number of reports have come out as a consequence of the actions of the Rudd government that emphasise the importance of stepping up and doing something now in relation to health reform.

However I guess we have to look at the history. You cannot ignore the fact that the Leader of the Opposition, the former health minister, left a legacy of nationwide medical workforce shortages stretching across 74 per cent of Australia and affecting 60 per cent of the population. We know that the Leader of the Opposition, as health minister, took a billion dollars out of health and capped GP training places at 600. I cannot believe that at the time the Leader of the Opposition was Minister for Health he capped GP training places at 600 and thought that the solution was to spend thousands of taxpayer dollars on purchasing golf balls to recruit doctors! That was the strategy. This member who was the Minister for Health at the time is now the Leader of the Opposition and puts himself forward as an alternative Prime Minister. This is a serious issue and it requires action from a government that is sensible, financially responsible and willing to ensure that the distribution of taxpayers’ dollars is done fairly, making sure that those who can afford the full amount for private health insurance or at a lower rebate do so, and that those additional funds are redistributed where they should be.

In the brief time that I have left, I take the chamber to the Health and Hospitals Reform Commission report that talks about there being less than two per cent of health expenditure spent on preventative health and the fact that health costs are going to rise rapidly from $84 billion in 2003 to $246 billion by 2033, or about nine per cent of GDP now to 12.4 per cent of GDP in 2033. When you look at all of the statistics and information that came out of the Health and Hospitals Reform Commission report and you put that together with what has been released now in the *Intergenerational report* and the fact that we are going to have a shortage in the workforce, only 2.7 people in the workforce for every person over the age of 65 years, you can see the enormity of the problem. You also look at the fact that we are an
ageing population. The electorate of Petrie has a significant proportion of those who are of retirement age. We need to do more.

This government has done so much in relation to health reform in its first two years. There is more to be done. We need to ensure that we can pursue the reforms that need to be done to look after our health into the future. We need the private health insurance bill passed today.

**Home Insulation Program**

Ms MARINO (Forrest) (12.29 pm)—I rise to ask the Minister for the Environment, Heritage and the Arts exactly how many homes in my electorate of Forrest are at risk because of the absolute debacle of the failed, rushed and bungled Home Insulation Program. I have written to the minister asking this very question and, until the minister responds, I am encouraging people in my electorate to contact the hotline to find out whether they are at risk and what precautionary steps they should take in the meantime.

The minister must let my local communities know just how many families and homes are at risk. The Rudd government was, unfortunately, more interested in spending money and simply shovelling it out the door than in ensuring public safety with this scheme. We have all heard the Minister for Finance and Deregulation state that the government was in fact so busy shovelling the money out the door that it did not have time to dot the i’s and cross the t’s on the program. And what has been the result of that incompetence? Tragically, four young Australian installers have died; in excess of 93 house fires have now been directly attributed—to the faulty installation of roof insulation; and up to 240,000 homes have either unsafe or substandard insulation. That is according to Minister Garrett’s own department. The minister must also tell people in my electorate when the inspections of their homes will be completed so that they can sleep at night and go to work in the day knowing that their homes are safe and, if they are there, that their families are safe.

I have a letter here from one of the installers in my electorate—one of the reputable, qualified and quality tradespeople who have been very seriously damaged by the minister’s program and the shonky operators it attracted. I quote from his letter:

After having completed approximately 140 homes, it disappoints me that these jobs have never been checked over—I welcome this at any time! Random checks should be done!

He went on to say:

The government allows the import of foreign insulation which defeats the Stimulus Package intent. There are six jobs I know of that have had the insulation bats ripped into 1/3 thickness, mass areas in ceilings not even insulated and all jobs billed out at the same rate. The Government has helped to create a dishonest society.

And—I would add—on borrowed money having to be repaid by Australian taxpayers.

I note that in today’s newspapers there is a reference to a potential $100 million bill on top of the program itself. The same registered installer was recently advised that, in spite of filling out all the requisite forms previously and having done 140 installations without problem and supplying trade certificates, he suddenly was deregistered by the department, then notified two days later that he had been re-registered. The minister is responsible for this department. We know that Minister Garrett received warning after warning—at least 19 warnings, including the Minter Ellison report exposing deep concerns in April 2009. This report warned him of fire, fraud and quality risks. But the minister claims he did not know about the contents of
this report until recently. It absolutely beggars belief that his departmental briefings did not include these warnings. I suspect that evidence at the Senate inquiry will prove this. The Labor Prime Minister’s own department was warned directly in February 2009—a year ago—but the Prime Minister has also said he did not know about the warnings either.

As I said, we know that the Minister for the Environment, Heritage and the Arts received at least 19 warnings over safety. There have been four tragic deaths of young people, and thousands and thousands of Australians are still at potential risk. There are safety concerns for at least 80,000 homes and possibly for as many as 255,000 homes. I want to know, and so do people in my electorate: how many of these are in my electorate? Which homes are they? Are they in Bunbury, are they in Busselton, are they in Augusta, are they in Margaret River, are they in Collie—who is it? The government website says:

The Australian Government’s Home Insulation Program and Solar Hot Water Rebate have been discontinued as of close of business Friday 19 February 2010.

For reputable, qualified installers and manufacturers and for good businesses in my electorate, this simply adds to the problems that this program has already created. Once again, I call on the minister to let people in my electorate know just who is affected—which homes—and what precautions they need to take. *(Time expired)*

**National Archives of Australia**

**Mr HALE (Solomon) (12.35 pm)**—I would like to outline the importance of an announcement made earlier this week by my good friend and hardworking Special Minister of State and Cabinet Secretary, Senator Joe Ludwig, about Australia’s National Archives. In a ministerial statement on 23 February, Minister Ludwig reaffirmed the Rudd government’s commitment to ensuring continued public access to records documenting Australia’s history. I would like to congratulate the minister and our government for responding positively to community concerns about the closure of the National Archives offices in Darwin, Adelaide and Hobart. I would also like to take the opportunity to acknowledge the work done by my colleagues, including the Minister for Indigenous Health, Rural and Regional Health, and Regional Service Delivery; senator for the Northern Territory Trish Crossin; the members for Lyons, Hindmarsh, Franklin, Port Adelaide and Fowler; and the Minister for Early Childhood Education, Childcare and Youth and Minister for Sport, in representing their constituents’ concerns over the closures.

I also recognise the work of all the individuals and members of the historical and archive societies who highlighted to me the significance of the National Archives office in Darwin and I thank them for their contribution. In fact, I was provided with some very sound professional advice about the National Archives of Australia by my sister Jacinta Francis. Jacinta is head of the English faculty at Darwin High School and a regular visitor to the Archives office in Darwin. Jacinta and others explained to me in detail the vital role the National Archives Office plays in keeping the political, social and cultural history of Australia alive. The announcement was fantastic because it coincided with ‘Shake your family tree day’, a National Archives initiative to encourage more Australians to explore their family history.

Particularly important for so many of my constituents in Solomon is that National Archives offices around the country hold many records containing important information about Indigenous people and their history. It was particularly pleasing to hear the minister emphasise the fact that the government will not change existing access arrangements for records relating to
the separation policies imposed on Aboriginal and Torres Strait Islander people. These access arrangements were strengthened in response to the landmark 1997 Bringing them Home report on the separation of Aboriginal and Torres Strait Islander children from their families. It is an important report that is close to the heart of the Stolen Generation communities around Australia. I was pleased to hear that National Archives will continue to work with local cultural and heritage institutions and other organisations in pursuit of co-located reading rooms and records storage facilities. Co-location will help put the National Archives on a sustainable footing for the long term while maintaining the face-to-face services in the Territory. I understand that National Archives has already begun looking at options for co-location with local institutions.

I am proud to be part of a Rudd Labor government that has listened, and understands and delivers. The National Archives office is yet another practical example of our government listening to the community’s concerns, understanding the importance of maintaining a local National Archives presence at a state and territory level, and taking action to deliver real results. On behalf of my constituents I commend the government and in particular the minister for making a guarantee that a physical National Archives presence will be maintained in every state and territory. I thank the people in my constituency who came and made representations to me. I ran a petition in order to collect signatures of people who came in. A diverse range of people came to my electoral office and signed the petition—ranging from historians to year 11 and 12 students that utilise these services on a regular basis, to teachers, researchers and lecturers from the university. These people made the effort and came in to sign the petition. It was really a case of a bit of people power being able to stand up to the bureaucracy and say, ‘Hold on a second; these are services that we need, especially in Darwin.’ If we give these services back willingly it becomes so much easier for the Commonwealth to take other things away in the future.

I will continue to make sure that the Archives are protected in my electorate. As I alluded to just then, I really am thankful to those people who made the effort to come in. In this job we all want to make a difference and we strive to do that. We do not always have wins. We probably have more losses at times than wins. But certainly when something like this occurs you do feel good about it—the fact that people have rallied and we have a result that is great for my electorate. Once again, I thank the minister.

Question agreed to.

Main Committee adjourned at 12.40 pm